

Tab 1	SB 120 by Abruzzo (CO-INTRODUCERS) Sobel, Soto, Latvala, Margolis, Hutson, Bullard, Ring, Thompson, Clemens, Gibson; (Similar to H 0045) Prohibited Discrimination					
828464	D	S		JU, Bean	Delete everything after	02/05 01:48 PM
744324	AA	S		JU, Stargel	btw L.253 - 254:	02/08 11:53 AM
873568	D	S		JU, Soto	Delete everything after	02/05 01:48 PM
906078	AA	S	UNFAV	JU, Stargel	btw L.255 - 256:	02/09 09:03 AM
131762	D	S	UNFAV	JU, Simmons	Delete everything after	02/10 10:03 AM
978134	AA	S	UNFAV	JU, Stargel	btw L.255 - 256:	02/10 10:03 AM

Tab 2	SB 50 by Flores; (Identical to H 3537) Relief of Altavious Carter by the Palm Beach County School Board					
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Tab 3	SM 1642 by Garcia; (Similar to H 0959) Cuban Adjustment Act of 1966					
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Tab 4	SB 1244 by Simmons; (Compare to CS/H 0555) Driving Under the Influence					
168110	D	S		JU, Simmons	Delete everything after	02/05 11:42 AM

Tab 5	SB 1412 by Simmons; (Similar to CS/H 0969) Conditions of Pretrial Release					
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

JUDICIARY
Senator Diaz de la Portilla, Chair
Senator Ring, Vice Chair

MEETING DATE: Monday, February 8, 2016
TIME: 1:30—3:30 p.m.
PLACE: *Toni Jennings Committee Room*, 110 Senate Office Building

MEMBERS: Senator Diaz de la Portilla, Chair; Senator Ring, Vice Chair; Senators Bean, Benacquisto, Brandes, Joyner, Simmons, Simpson, Soto, and Stargel

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 120 Abruzzo (Similar H 45)	Prohibited Discrimination; Creating the "Florida Competitive Workforce Act"; revising provisions to include sexual orientation and gender identity or expression and the perception of race, color, religion, sex, national origin, age, sexual orientation, gender identity or expression, handicap, or marital status as impermissible grounds for discrimination; providing an exception for constitutionally protected free exercise of religion, etc. JU 01/26/2016 Temporarily Postponed JU 02/08/2016 Pending reconsider (Unfavorable) GO AGG FP	Unfavorable Yeas 5 Nays 5 -Pending Reconsideration
2	SB 50 Flores (Identical H 3537)	Relief of Altavious Carter by the Palm Beach County School Board; Providing for the relief of Altavious Carter by the Palm Beach County School Board; providing for an appropriation to compensate Mr. Carter for injuries sustained as a result of the negligence of a bus driver of the Palm Beach County School District; providing a limitation on the payment of fees and costs, etc. SM JU 01/26/2016 Temporarily Postponed JU 02/08/2016 Favorable AED AP	Favorable Yeas 9 Nays 0
3	SM 1642 Garcia (Similar HM 959)	Cuban Adjustment Act of 1966; Urging Congress to review and revise the Cuban Adjustment Act of 1966, etc. JU 02/08/2016 Favorable RC	Favorable Yeas 10 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Judiciary

Monday, February 8, 2016, 1:30—3:30 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 1244 Simmons (Compare CS/H 555)	Driving Under the Influence; Providing penalties for a first-time refusal of a chemical or physical test of a person's breath, blood, or urine; providing that a subsequent refusal by a person who has previously had a license suspension for a prior refusal is a misdemeanor of the first degree; requiring the court to impose certain mandatory ignition interlock devices on the vehicles of convicted persons for a specified time under certain circumstances; prohibiting a court from suspending, deferring, or withholding adjudication of guilt or the imposition of a sentence or penalty for specified offenses, etc. JU 01/20/2016 Temporarily Postponed JU 01/26/2016 Temporarily Postponed JU 02/08/2016 Favorable ACJ AP	Favorable Yeas 10 Nays 0
5	SB 1412 Simmons (Similar CS/H 969)	Conditions of Pretrial Release; Requiring that a defendant be notified in writing if a court issues an order of no contact rather than receive a copy of the order, etc. JU 01/26/2016 Not Considered JU 02/08/2016 Favorable CJ RC	Favorable Yeas 10 Nays 0

Bills that are not considered or temporarily postponed on Monday will be considered on Tuesday.

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Judiciary

BILL: SB 120

INTRODUCER: Senator Abruzzo

SUBJECT: Prohibited Discrimination

DATE: January 25, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Brown	Cibula	JU	Pre-meeting
2.			GO	
3.			AGG	
4.			FP	

I. Summary:

SB 120 amends the Florida Civil Rights Act (FCRA) by expressly prohibiting discrimination based on actual or perceived sexual orientation and gender identity or expression. The FCRA currently prohibits discrimination based on race, creed, color, pregnancy, sex, pregnancy, physical disability, or national origin. Discrimination is prohibited in the FCRA under current law in the areas of education, employment, housing, and public accommodations. Individuals protected by the FCRA are commonly known as members of a protected class.

Under current law and the bill, the provisions of FCRA governing employment discrimination do not apply to religious organizations. With respect to public accommodations, employment, and public lodging and food service establishments, the bill further states that it does not “limit the free exercise of religion guaranteed by the United States Constitution and the State Constitution.” What specific individuals or activities are protected by the statement, however, are not specified.

Current law prohibits and penalizes discrimination against a person who actually has a protected status. This bill additionally prohibits and penalizes discrimination based on the *perception* that a person belongs to a class protected under the FCRA. This change may significantly expand the population of persons authorized to bring claims of discrimination under the FCRA. However, a claim based on a perception, rather than an actual status, may be more difficult to prove.

II. Present Situation:

Title VII of the Civil Rights Act of 1964¹ and Federal Action

Title VII of the Civil Rights Act of 1964 (Title VII) prohibits discrimination based on race, color, religion, national origin, or sex. Title VII applies to employers having 15 or more employees and outlines a number of unlawful employment practices. Title VII makes it unlawful for employers to refuse to hire, discharge, or otherwise discriminate against an individual with respect to compensation, terms, conditions, or privileges of employment, based on race, color, religion, national origin, or sex.² The status of pregnancy is subsumed as a protected class in the category of sex discrimination. Title VII does not grant sexual orientation or gender identity protected status. Although the Equal Employment Opportunity Commission (EEOC) has produced guidelines stating that Title VII covers sexual orientation, many federal courts decline to interpret sexual orientation as protected under Title VII.³

Employment Non-Discrimination Act (EDNA)

Proposed federal legislation establishing the federal Employment Non-Discrimination Act (ENDA) would prohibit discrimination in hiring and employment on the basis of sexual orientation or gender identity. The Act would have applied to employers who have at least 15 employees. Although the Act was filed in Congress many times since 1994 (with transgender language added in 2009), the bill never passed both houses of Congress.⁴ The Act passed the U.S. Senate in 2013,⁵ but the Act was defeated in a House committee.⁶ The Act would have exempted religious organizations from its provisions regulating employment.⁷

Case Law on Title VII and Sexual Orientation

Despite the lack of the inclusion of sexual orientation and gender identity under Title VII, some courts have interpreted Title VII to provide some protection on other grounds. Still, this interpretation has been infrequent. In 1998, the United States Supreme Court interpreted Title VII as applying to same-sex, sexual harassment. In *Oncale v. Sundowner Offshore Services, Inc.*, the Court determined that Title VII's inclusion of sex as a protected status protects men as well as women.⁸ Where the plaintiff was repeatedly targeted by fellow employees for sex-related, humiliating actions, threatened with rape, and called a name suggesting homosexuality, the Court concluded that the plaintiff was discriminated against based on sex.⁹ The Court then remanded

¹ 42 U.S.C. 2000e et. seq.

² 42 U.S.C. 2000e-2.

³ Katherine McAnallen, NCSL Legisbrief, *Sexual Orientation in Employment Discrimination Laws*, Vol. 23, No. 34 (Sept. 2015).

⁴ Alex Reed, *Redressing LGBT Employment Discrimination Via Executive Order*, 29 NOTRE DAME J.L. ETHICS & PUB. POL'Y 133, 133-135.

⁵ 159 CONG. REC. S10, 129-39 (daily ed. Nov. 7, 2013).

⁶ s. 815 (Nov. 12, 2013)

⁷ Sec. 6.(a) of the Act provided "This Act shall not apply to a corporation, association, educational institution or institution of learning, or society that is exempt from the religious discrimination provisions of title VII of the Civil Rights Act of 1964"

⁸ *Oncale v. Sundowner Offshore Services, Inc.*, 523 U.S. 75, 78 (1988).

⁹ *Id.* at 81.

the case back to the district court of appeals for further proceedings “[B]ecause we conclude that sex discrimination consisting of same-sex sexual harassment is actionable under Title VII”¹⁰

In 2002, the United States Court of Appeals for the Ninth Circuit heard a case in which a plaintiff alleged that he was sexually harassed and assaulted by fellow colleagues based on his sexual orientation.¹¹ Although the plaintiff sought relief under the theory that Title VII includes sexual orientation, the court ruled instead that his case was actionable based on a sexual harassment claim.¹² “The court noted that Title VII prohibits offensive sexual conduct when the conduct is sufficiently severe or pervasive. As such, the court ruled that sexual orientation of the victim was irrelevant.”¹³

In 2014, President Barack Obama signed an Executive Order adding sexual orientation and gender identity protections for federal employees. The Executive Order:

- Prohibits a federal contractor from firing or harassing an employee on the basis of sexual orientation or gender identity; and
- Explicitly bans discrimination against transgender employees of the federal government.¹⁴

Florida Civil Rights Act

The 1992 Florida Legislature enacted the Florida Civil Rights Act (FCRA) to protect persons from discrimination in education, employment, housing, and public accommodations. In addition to the classes of race, color, religion, sex, and national origin protected in federal law, the FCRA includes age, handicap, and marital status as protected classes.¹⁵ The Florida Legislature added pregnancy as a protected status under the FCRA in 2015.¹⁶

Similar to Title VII, the FCRA specifically provides a number of actions that, if undertaken by an employer, are considered unlawful employment practices.¹⁷ Courts interpreting the FCRA typically follow federal precedent because the FCRA is generally patterned after Title VII. Still, differences between the state and federal law persist. As noted above, the FCRA includes age, handicap, and marital status as protected categories. Although Title VII does not include these statuses, other federal laws address age and disability, albeit in a different manner.¹⁸

Procedure for Filing Claims of Discrimination

A person who believes that he or she has been the target of unlawful discrimination may file a complaint with the FCHR. The person must file the complaint within 365 days of the alleged violation.¹⁹ After a person files a claim of discrimination with the Florida Commission on

¹⁰ *Id.* at 82.

¹¹ *Rene v. MGM Grand Hotel, Inc.*, 305 F.3d 1061, 1064 (2002).

¹² *Id.* at 1066.

¹³ *Id.* at 1065-1067.

¹⁴ Executive Order 13672 (July 21, 2014).

¹⁵ Section 760.10(1)(a), F.S.

¹⁶ SB 982 (Ch. 2015-68, L.O.F.)

¹⁷ Section 760.10(2) through (8), F.S.

¹⁸ Kendra D. Presswood, *Interpreting the Florida Civil Rights Act of 1992*, 87 FLA. B.J. 36, 36 (Dec. 2013).

¹⁹ Section 760.11(1), F.S.

Human Rights (FCHR), the FCHR investigates the complaint.²⁰ The FCHR then must make a reasonable cause determination within 180 days after the filing of the complaint.²¹ If the FCHR finds reasonable cause, the plaintiff may bring either a civil action or request an administrative hearing.²² A plaintiff is required to file a state claim in civil court under the Florida Civil Rights Act within 1 year of the determination of reasonable cause by the FCHR.²³

If the FCHR returns a finding of no reasonable cause, the complainant may request an administrative hearing with the Division of Administrative Hearings (DOAH) within 35 days of the finding.²⁴ DOAH will issue a recommended order, which the FCHR may reject, adopt, or modify by issuing a final order.²⁵

Remedies

Administrative Remedies If the Commission Pursues Administrative Action

Affirmative relief includes prohibition of the practice and back pay. The FCHR may also award reasonable attorney's fees to the prevailing party.²⁶

Civil Remedies If the Person Pursues a Legal Action

State law authorizes awards of back pay, compensatory damages, and punitive damages.²⁷ Compensatory damages include damages for mental anguish, loss of dignity, and any other intangible injuries.²⁸ Punitive damages are capped at \$100,000 regardless of the size of the employer.²⁹ The state and its agencies and subdivisions of the state are not liable for punitive damages³⁰ or recovery amounts in excess of the limited waiver of sovereign immunity.³¹

Religious Exemption for an Unlawful Employment Practice

An employer commits an unlawful employment practice if based on a person's protected status, he or she:

- Discharges or refuses to hire a person or discriminates in the area of terms or conditions of employment; or
- Limits, segregates, or classifies an employee or applicant in such a way as to deprive him or her of an opportunity.³²

²⁰ Section 760.11(3), F.S.

²¹ Section 760.11(3), F.S.

²² Section 760.11(4), F.S.

²³ Section 760.11(5), F.S.

²⁴ Section 760.11(7), F.S.

²⁵ *Id.*

²⁶ Section 760.11(6), F.S.

²⁷ Section 760.11(5), F.S.

²⁸ *Id.*

²⁹ *Id.*

³⁰ Section 760.11(5), F.S.

³¹ *Id.* Section 768.28(5), F.S., provides that damages against a state, its agencies, or subdivisions are capped at \$200,000 per claim or \$300,000 per incident. A plaintiff may pursue a claim bill to recover in excess of these caps, but claim bills are subject to the prerogative of the Legislature.

³² Section 760.10(1), F.S.

Entities prohibited from engaging in unlawful employment practices include labor organizations and employment agencies.³³

Certain entities are exempt from the provisions on unlawful employment practices. These are religious corporations, associations, educational institutions, and societies which condition opportunities to members who subscribe to their tenets or beliefs.³⁴

Anti-Discrimination Provisions in Local Government or Other States Based on Gender Identity or Sexual Orientation

Ordinances in Local Government in the State

A number of counties in Florida prohibit discrimination based on gender identity or sexual orientation. These counties include Alachua, Broward, Hillsborough, Leon, Miami-Dade, Monroe, Orange, Palm Beach, Pinellas, and Volusia Counties. Numerous municipalities also prohibit discrimination on this basis.³⁵

Anti-Discrimination Laws in Other States

Nineteen other states, the District of Columbia and Puerto Rico provide protections against discrimination in employment and housing in state law based on sexual orientation and gender identity.³⁶ In addition to having a state law prohibiting discrimination based on sexual orientation, New York prohibits gender identity discrimination by public employers through executive order.³⁷

III. Effect of Proposed Changes:

SB 120 amends the Florida Civil Rights Act (FCRA) by expressly prohibiting discrimination based on sexual orientation and gender identity or expression. The FCRA currently prohibits discrimination based on race, creed, color, sex, pregnancy, physical disability, or national origin in the areas of education, employment, housing, and public accommodations.

The bill defines the term “gender identity or expression” as gender-related identity, appearance, or behavior, regardless of whether it is different from that traditionally associated with the person’s physiology or assigned sex at birth, and which can be shown by:

- Medical history, care, or treatment of the gender identity;
- Consistent and uniform assertion of the gender-related identity; or
- Evidence that the gender-related identity is a sincerely held part of a person’s core identity and is not being asserted for an improper purpose.

³³ Section 760.10(2) though (8), F.S.

³⁴ Section 760.10(9), F.S.

³⁵ Municipalities include Atlantic Beach, Dunedin, Gainesville, Gulfport, Juno Beach, Key West, Lake Worth, Largo, Miami, Miami Beach, Oakland Park, Orlando, Tampa, Venice, West Palm Beach and Wilton Manors. Equality Florida, <http://www.eqfl.org/Discrimination> (last visited Jan. 23, 2016).

³⁶ These states are California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Iowa, Maine, Maryland, Massachusetts, Minnesota, Nevada, New Jersey, New Mexico, Oregon, Rhode Island, Utah, Vermont, and Washington. McAnallen, *supra* note 3. Human Rights Campaign, *Statewide Housing Laws & Policies*, http://www.hrc.org/state_maps (last viewed Jan. 23, 2016).

³⁷ McAnallen, *supra* note 3.

The term “sexual orientation” is defined as a person’s actual or perceived heterosexuality, homosexuality, or bisexuality. The person asserting this status does not appear to have to provide an indicia of proof of sexual orientation. The way in which gender identity or expression is defined appears to require some indicia of proof on the part of the person asserting this status. How a person could provide proof under a claim that he or she was discriminated against based on a perception of that status is unknown.

The bills states with respect to public accommodations, employment, and public lodging and food service establishment that the bill does not “limit the free exercise of religion guaranteed by the United States Constitution and the State Constitution.” What specific individuals or activities are protected by the statement, however, are not specified.

Under the bill, sexual orientation and gender identity or expression are afforded the same protection as other statuses or classes identified in the FCRA. Based on the status of sexual orientation and gender identity or expression, a person may not be discriminated against:

- By public lodging and food service establishments;
- With respect to education, housing, or public accommodation; or
- With respect to employment, provided that any discriminatory act constitutes an unlawful employment practice.³⁸

Current law prohibits and penalizes discrimination against a person who actually has a protected status. This bill additionally prohibits and penalizes discrimination based on the *perception* that a person belongs to any of the protected classes included in the FCRA. This change may significantly expand the population of persons authorized to bring claims based on discrimination under the FCRA. Still, proving discrimination based on a perception, rather than an actual protected status, may be more difficult for a plaintiff to demonstrate.

The bill takes effect July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

³⁸ Unlawful employment practices include discharging or failing to or refusing to hire a person, or discriminating in compensation, benefits, terms, conditions, or privileges of employment; and limiting or classifying an employee or applicant in such a way as to deprive the person of employment opportunities. The prohibition on unlawful employment practices applies also to employment agencies and labor organizations. *See* s. 760.10, F.S.

D. Other Constitutional Issues:

Current law provides an exemption from the prohibition on unlawful employment practices. The exemption is afforded to religious organizations or other entities which provide opportunities to members who subscribe to the same tenets or beliefs. In addition to the current exemption afforded to organizations, this bill appears to provide another exemption. This exemption is provided to persons who are exercising their constitutional free exercise of religion in the areas of employment and public accommodations. Whether this bill better enables a person to assert the free exercise of religion as a defense to an action based on a civil rights discrimination is unknown.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Current law prohibits and penalizes discrimination against a person who actually has a protected status. This bill additionally prohibits and penalizes discrimination based on the perception that a person belongs to a protected class. This change may significantly expand the population of persons authorized to bring claims based on discrimination under the FCRA, which could increase costs in litigation for employers and owners of public accommodations. Still, proving discrimination based on a perception, rather than an actual protected status, would be more difficult to prove.

C. Government Sector Impact:

Florida Commission on Human Relations (FCHR)

This bill expands the types of classes receiving protected status under the FCRA. The Florida Commission on Human Relations anticipates that this expansion would result in an increased caseload of about 100 to 110 cases. The FCHR requests an additional 3 FTE positions (1 attorney, 1 investigator, and 1 support staff) to support the increase in workload. The total amount requested on a recurring basis is as follows:

Job Title	Amount/FTE	Expenses
Senior Attorney	\$72, 278	\$10,367
Investigation Specialist	\$56, 776	\$10,367
Secretary Specialist	\$29, 029	\$9,042
	Total: \$158,083	\$29,776

The total amount requested for FTE and Expenses on a recurring basis is \$187,859. The total amount requested on non-recurring basis is \$17,434. The FCRA indicates that these

amounts would need to be funded through General Revenue funds because the federal government will not fund these types of cases.³⁹

State Agencies

Some of the expected increase in cases brought to the FCRA is due to the addition of gender identity or expression and sexual orientation as a protected class. Expanding claims beyond discrimination based on an actual protected status to one that is perceived may also significantly expand the population of claimants. This change could increase costs in litigation for state agency employers. Still, proving discrimination based on a perception, rather than an actual protected status, would be more difficult to prove.

VI. Technical Deficiencies:

None.

VII. Related Issues:

This bill prohibits discrimination for all types of protected classes in the areas of employment and public accommodation based on a perception of a person belonging to a protected class. This represents a significant expansion from current law, which prohibits discrimination based on actual status only. How perception would be demonstrated is unknown.

VIII. Statutes Affected:

This bill amends the following sections of the Florida Statutes: 419.001, 509.092, 760.01, 760.02, 760.05, 760.07, 760.08, 760.10, 509.092, 760.22, 760.23, 760.24, 760.25, 760.26, 760.29, and 760.60.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

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

³⁹ Florida Commission on Human Relations, *Fiscal Impact Analysis on SB 120*.



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LEGISLATIVE ACTION

Senate

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House

The Committee on Judiciary (Bean) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. This act may be cited as the "Florida
Competitive Workforce Act."

Section 2. Subsection (1) of section 760.01, Florida
Statutes, is republished, and subsection (2) of that section is
amended, to read:

760.01 Purposes; construction; title.—

(1) Sections 760.01-760.11 and 509.092 shall be cited as



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12 the "Florida Civil Rights Act of 1992."

13 (2) The general purposes of the Florida Civil Rights Act of
14 1992 are to secure for all individuals within the state freedom
15 from discrimination because of race, color, religion, sex,
16 pregnancy, national origin, age, sexual orientation, gender
17 identity or expression, handicap, or marital status and thereby
18 to protect their interest in personal dignity, to make available
19 to the state their full productive capacities, to secure the
20 state against domestic strife and unrest, to preserve the public
21 safety, health, and general welfare, and to promote the
22 interests, rights, and privileges of individuals within the
23 state.

24 Section 3. Section 760.02, Florida Statutes, is reordered
25 and amended to read:

26 760.02 Definitions.—For the purposes of ss. 760.01-760.11
27 and 509.092, the term:

28 (7)~~(1)~~ "Florida Civil Rights Act of 1992" means ss. 760.01-
29 760.11 and 509.092.

30 (2) "Commission" means the Florida Commission on Human
31 Relations created by s. 760.03.

32 (3) "Commissioner" or "member" means a member of the
33 commission.

34 (4) "Discriminatory practice" means any practice made
35 unlawful by the Florida Civil Rights Act of 1992.

36 (10)~~(5)~~ "National origin" includes ancestry.

37 (11)~~(6)~~ "Person" includes an individual, association,
38 corporation, joint apprenticeship committee, joint-stock
39 company, labor union, legal representative, mutual company,
40 partnership, receiver, trust, trustee in bankruptcy, or



41 unincorporated organization; any other legal or commercial
42 entity; the state; or any governmental entity or agency.

43 (5)~~(7)~~ "Employer" means any person employing 15 or more
44 employees for each working day in each of 20 or more calendar
45 weeks in the current or preceding calendar year, and any agent
46 of such a person.

47 (6)~~(8)~~ "Employment agency" means any person regularly
48 undertaking, with or without compensation, to procure employees
49 for an employer or to procure for employees opportunities to
50 work for an employer, and includes an agent of such a person.

51 (8) "Gender identity or expression" means gender-related
52 identity, appearance, or behavior, regardless of whether such
53 gender-related identity, appearance, or behavior is different
54 from that traditionally associated with the person's physiology
55 or assigned sex at birth, and which gender-related identity can
56 be shown by the person providing evidence, including, but not
57 limited to:

58 (a) Medical history, care, or treatment of the gender-
59 related identity;

60 (b) Consistent and uniform assertion of the gender-related
61 identity; or

62 (c) Other evidence that the gender-related identity is a
63 sincerely held part of a person's core identity and is not being
64 asserted for an improper purpose.

65 (9) "Labor organization" means any organization which
66 exists for the purpose, in whole or in part, of collective
67 bargaining or of dealing with employers concerning grievances,
68 terms or conditions of employment, or other mutual aid or
69 protection in connection with employment.



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70 (1) ~~(10)~~ "Aggrieved person" means any person who files a
71 complaint with the Florida Commission on Human Relations
72 Commission.

73 (12) ~~(11)~~ "Public accommodations" means places of public
74 accommodation, lodgings, facilities principally engaged in
75 selling food for consumption on the premises, gasoline stations,
76 places of exhibition or entertainment, and other covered
77 establishments. Each of the following establishments which
78 serves the public is a place of public accommodation within the
79 meaning of this section:

80 (a) Any inn, hotel, motel, or other establishment that
81 ~~which~~ provides lodging to transient guests, other than an
82 establishment located within a building that ~~which~~ contains not
83 more than four rooms for rent or hire and that ~~which~~ is actually
84 occupied by the proprietor of such establishment as his or her
85 residence.

86 (b) Any restaurant, cafeteria, lunchroom, lunch counter,
87 soda fountain, or other facility principally engaged in selling
88 food for consumption on the premises, including, but not limited
89 to, any such facility located on the premises of any retail
90 establishment, or any gasoline station.

91 (c) Any motion picture theater, theater, concert hall,
92 sports arena, stadium, or other place of exhibition or
93 entertainment.

94 (d) Any establishment that ~~which~~ is physically located
95 within the premises of any establishment otherwise covered by
96 this subsection, or within the premises of which is physically
97 located any such covered establishment, and that ~~which~~ holds
98 itself out as serving patrons of such covered establishment.



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99 (13) "Sexual orientation" means an individual's
100 heterosexuality, homosexuality, or bisexuality.

101 Section 4. Section 760.05, Florida Statutes, is amended to
102 read:

103 760.05 Functions of the commission.—The commission shall
104 promote and encourage fair treatment and equal opportunity for
105 all persons regardless of race, color, religion, sex, pregnancy,
106 national origin, age, sexual orientation, gender identity or
107 expression, handicap, or marital status and mutual understanding
108 and respect among all members of society. The commission all
109 economic, social, racial, religious, and ethnic groups; and
110 shall endeavor to eliminate discrimination against, and
111 antagonism between, persons on the basis of race, color,
112 religion, sex, pregnancy, national origin, age, sexual
113 orientation, gender identity or expression, handicap, or marital
114 status ~~religious, racial, and ethnic groups and their members.~~

115 Section 5. Section 760.07, Florida Statutes, is amended to
116 read:

117 760.07 Remedies for unlawful discrimination.—Any violation
118 of any Florida statute making unlawful discrimination because of
119 race, color, religion, gender, pregnancy, national origin, age,
120 sexual orientation, gender identity or expression, handicap, or
121 marital status in the areas of education, employment, housing,
122 or public accommodations gives rise to a cause of action for all
123 relief and damages described in s. 760.11(5), unless greater
124 damages are expressly provided for. If the statute prohibiting
125 unlawful discrimination provides an administrative remedy, the
126 action for equitable relief and damages provided for in this
127 section may be initiated only after the plaintiff has exhausted



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128 his or her administrative remedy. The term "public
129 accommodations" does not include lodge halls or other similar
130 facilities of private organizations which are made available for
131 public use occasionally or periodically. The right to trial by
132 jury is preserved in any case in which the plaintiff is seeking
133 actual or punitive damages.

134 Section 6. Section 760.08, Florida Statutes, is amended to
135 read:

136 760.08 Discrimination in places of public accommodation.—
137 All persons are entitled to the full and equal enjoyment of the
138 goods, services, facilities, privileges, advantages, and
139 accommodations of any place of public accommodation without
140 discrimination or segregation on the ground of race, color,
141 national origin, sex, sexual orientation, gender identity or
142 expression, pregnancy, handicap, familial status, or religion.

143 Section 7. Subsections (1) and (2), paragraphs (a) and (b)
144 of subsection (3), subsections (4), (5), and (6), paragraph (a)
145 of subsection (8), and subsection (9) of section 760.10, Florida
146 Statutes, are amended, and subsection (10) of that section is
147 republished, to read:

148 760.10 Unlawful employment practices.—

149 (1) It is an unlawful employment practice for an employer:

150 (a) To discharge or to fail or refuse to hire any
151 individual, or otherwise to discriminate against any individual
152 with respect to compensation, terms, conditions, or privileges
153 of employment, because of such individual's race, color,
154 religion, sex, pregnancy, national origin, age, sexual
155 orientation, gender identity or expression, handicap, or marital
156 status.



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157 (b) To limit, segregate, or classify employees or
158 applicants for employment in any way that ~~which~~ would deprive or
159 tend to deprive any individual of employment opportunities, or
160 adversely affect any individual's status as an employee, because
161 of such individual's race, color, religion, sex, pregnancy,
162 national origin, age, sexual orientation, gender identity or
163 expression, handicap, or marital status.

164 (2) It is an unlawful employment practice for an employment
165 agency to fail or refuse to refer for employment, or otherwise
166 to discriminate against, any individual because of race, color,
167 religion, sex, pregnancy, national origin, age, sexual
168 orientation, gender identity or expression, handicap, or marital
169 status or to classify or refer for employment any individual on
170 the basis of race, color, religion, sex, pregnancy, national
171 origin, age, sexual orientation, gender identity or expression,
172 handicap, or marital status.

173 (3) It is an unlawful employment practice for a labor
174 organization:

175 (a) To exclude or to expel from its membership, or
176 otherwise to discriminate against, any individual because of
177 race, color, religion, sex, pregnancy, national origin, age,
178 sexual orientation, gender identity or expression, handicap, or
179 marital status.

180 (b) To limit, segregate, or classify its membership or
181 applicants for membership, or to classify or fail or refuse to
182 refer for employment any individual, in any way that would
183 deprive or tend to deprive any individual of employment
184 opportunities, or adversely affect any individual's status as an
185 employee or as an applicant for employment, because of such



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186 individual's race, color, religion, sex, pregnancy, national
187 origin, age, sexual orientation, gender identity or expression,
188 handicap, or marital status.

189 (4) It is an unlawful employment practice for any employer,
190 labor organization, or joint labor-management committee
191 controlling apprenticeship or other training or retraining,
192 including on-the-job training programs, to discriminate against
193 any individual because of race, color, religion, sex, pregnancy,
194 national origin, age, sexual orientation, gender identity or
195 expression, handicap, or marital status in admission to, or
196 employment in, any program established to provide apprenticeship
197 or other training.

198 (5) Whenever, in order to engage in a profession,
199 occupation, or trade, it is required that a person receive a
200 license, certification, or other credential;; become a member or
201 an associate of any club, association, or other organization;;
202 or pass any examination, it is an unlawful employment practice
203 for any person to discriminate against any other person seeking
204 such license, certification, or other credential;; seeking to
205 become a member or associate of such club, association, or other
206 organization;; or seeking to take or pass such examination,
207 because of such other person's race, color, religion, sex,
208 pregnancy, national origin, age, sexual orientation, gender
209 identity or expression, handicap, or marital status.

210 (6) It is an unlawful employment practice for an employer,
211 a labor organization, an employment agency, or a joint labor-
212 management committee to print, or cause to be printed or
213 published, any notice or advertisement relating to employment,
214 membership, classification, referral for employment, or



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215 apprenticeship or other training which indicates,~~indicating~~ any
216 preference, limitation, specification, or discrimination~~,~~ based
217 on race, color, religion, sex, pregnancy, national origin, age,
218 sexual orientation, gender identity or expression, absence of
219 handicap, or marital status.

220 (8) Notwithstanding any other provision of this section, it
221 is not an unlawful employment practice under ss. 760.01-760.10
222 for an employer, employment agency, labor organization, or joint
223 labor-management committee to:

224 (a) Take or fail to take any action on the basis of
225 religion, sex, pregnancy, national origin, age, sexual
226 orientation, gender identity or expression, handicap, or marital
227 status in those certain instances in which religion, sex,
228 condition of pregnancy, national origin, age, sexual
229 orientation, gender identity or expression, absence of a
230 particular handicap, or marital status is a bona fide
231 occupational qualification reasonably necessary for the
232 performance of the particular employment to which such action or
233 inaction is related.

234 (9) (a) This section does ~~shall~~ not apply to any religious
235 corporation, association, educational institution, or society
236 which conditions opportunities in the area of employment or
237 public accommodation to members of that religious corporation,
238 association, educational institution, or society or to persons
239 who subscribe to its tenets or beliefs.

240 (b) This section does ~~shall~~ not prohibit a religious
241 corporation, association, educational institution, or society
242 from giving preference in employment to individuals of a
243 particular religion to perform work connected with the carrying



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244 on by such corporations, associations, educational institutions,
245 or societies of its various activities.

246 (c) This section and s. 760.08 do not limit the free
247 exercise of religion guaranteed by the United States
248 Constitution and the State Constitution.

249 (10) Each employer, employment agency, and labor
250 organization shall post and keep posted in conspicuous places
251 upon its premises a notice provided by the commission setting
252 forth such information as the commission deems appropriate to
253 effectuate the purposes of ss. 760.01-760.10.

254 Section 8. Section 509.092, Florida Statutes, is amended to
255 read:

256 509.092 Public lodging establishments and public food
257 service establishments; rights as private enterprises.—

258 (1) Public lodging establishments and public food service
259 establishments are private enterprises, and the operator has the
260 right to refuse accommodations or service to any person who is
261 objectionable or undesirable to the operator, but such refusal
262 may not be based upon race, creed, color, sex, pregnancy,
263 physical disability, sexual orientation, gender identity or
264 expression, or national origin.

265 (2) A person aggrieved by a violation of this section or a
266 violation of a rule adopted under this section has a right of
267 action pursuant to s. 760.11.

268 (3) This section does not limit the free exercise of
269 religion guaranteed by the United States Constitution and the
270 State Constitution.

271 Section 9. Section 760.22, Florida Statutes, is amended to
272 read:



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273 760.22 Definitions.—As used in this part ~~ss. 760.20-760.37~~,
274 the term:

275 (1) "Commission" means the Florida Commission on Human
276 Relations.

277 (2) "Covered multifamily dwelling" means:

278 (a) A building that ~~which~~ consists of four or more units
279 and has an elevator; or

280 (b) The ground floor units of a building that ~~which~~
281 consists of four or more units and does not have an elevator.

282 (3) "Discriminatory housing practice" means an act that is
283 unlawful under the terms of this part ~~ss. 760.20-760.37~~.

284 (4) "Dwelling" means any building or structure, or portion
285 thereof, which is occupied as, or designed or intended for
286 occupancy as, a residence by one or more families, and any
287 vacant land that ~~which~~ is offered for sale or lease for the
288 construction or location on the land of any such building or
289 structure, or portion thereof.

290 (5) "Familial status" is established when an individual who
291 has not attained the age of 18 years is domiciled with:

292 (a) A parent or other person having legal custody of such
293 individual; or

294 (b) A designee of a parent or other person having legal
295 custody, with the written permission of such parent or other
296 person.

297 (6) "Family" includes a single individual.

298 (7) "Gender identity or expression" has the same meaning as
299 provided in s. 760.02.

300 (8) ~~(7)~~ "Handicap" means:

301 (a) A ~~person has a~~ physical or mental impairment that ~~which~~



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302 substantially limits one or more major life activities for a
303 person who has, ~~or he or she~~ has a record of having, or is
304 regarded as having that, ~~such~~ physical or mental impairment; or

305 (b) A ~~person has a~~ developmental disability as defined in
306 s. 393.063.

307 (9) ~~(8)~~ "Person" includes one or more individuals,
308 corporations, partnerships, associations, labor organizations,
309 legal representatives, mutual companies, joint-stock companies,
310 trusts, unincorporated organizations, trustees, trustees in
311 bankruptcy, receivers, and fiduciaries.

312 (10) "Sexual orientation" has the same meaning as provided
313 in s. 760.02.

314 (11) ~~(9)~~ "Substantially equivalent" means an administrative
315 subdivision of the State of Florida meeting the requirements of
316 24 C.F.R. part 115, s. 115.6.

317 (12) ~~(10)~~ "To rent" includes to lease, to sublease, to let,
318 and otherwise to grant for a consideration the right to occupy
319 premises not owned by the occupant.

320 Section 10. Subsections (1) - (5) of section 760.23,
321 Florida Statutes, are amended to read:

322 760.23 Discrimination in the sale or rental of housing and
323 other prohibited practices.-

324 (1) It is unlawful to refuse to sell or rent after the
325 making of a bona fide offer, to refuse to negotiate for the sale
326 or rental of, or otherwise to make unavailable or deny a
327 dwelling to any person because of race, color, national origin,
328 sex, sexual orientation, gender identity or expression,
329 handicap, familial status, or religion.

330 (2) It is unlawful to discriminate against any person in



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331 the terms, conditions, or privileges of sale or rental of a
332 dwelling, or in the provision of services or facilities in
333 connection therewith, because of race, color, national origin,
334 sex, sexual orientation, gender identity or expression,
335 handicap, familial status, or religion.

336 (3) It is unlawful to make, print, or publish, or cause to
337 be made, printed, or published, any notice, statement, or
338 advertisement with respect to the sale or rental of a dwelling
339 that indicates any preference, limitation, or discrimination
340 based on race, color, national origin, sex, sexual orientation,
341 gender identity or expression, handicap, familial status, or
342 religion or an intention to make any such preference,
343 limitation, or discrimination.

344 (4) It is unlawful to represent to any person because of
345 the person's race, color, national origin, sex, sexual
346 orientation, gender identity or expression, handicap, familial
347 status, or religion that any dwelling is not available for
348 inspection, sale, or rental when such dwelling is in fact so
349 available.

350 (5) It is unlawful, for profit, to induce or attempt to
351 induce any person to sell or rent any dwelling by a
352 representation regarding the entry or prospective entry into the
353 neighborhood of a person or persons of a particular race, color,
354 national origin, sex, sexual orientation, gender identity or
355 expression, handicap, familial status, or religion.

356 Section 11. Section 760.24, Florida Statutes, is amended to
357 read:

358 760.24 Discrimination in the provision of brokerage
359 services.—It is unlawful to deny any person access to, or



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360 membership or participation in, any multiple-listing service,
361 real estate brokers' organization, or other service,
362 organization, or facility relating to the business of selling or
363 renting dwellings, or to discriminate against him or her in the
364 terms or conditions of such access, membership, or
365 participation, because ~~on account~~ of race, color, national
366 origin, sex, sexual orientation, gender identity or expression,
367 handicap, familial status, or religion.

368 Section 12. Subsection (1) and paragraph (a) of subsection
369 (2) of section 760.25, Florida Statutes, are amended to read:

370 760.25 Discrimination in the financing of housing or in
371 residential real estate transactions.-

372 (1) It is unlawful for any bank, building and loan
373 association, insurance company, or other corporation,
374 association, firm, or enterprise the business of which consists
375 in whole or in part of the making of commercial real estate
376 loans to deny a loan or other financial assistance to a person
377 applying for the loan for the purpose of purchasing,
378 constructing, improving, repairing, or maintaining a dwelling,
379 or to discriminate against him or her in the fixing of the
380 amount, interest rate, duration, or other term or condition of
381 such loan or other financial assistance, because of the race,
382 color, national origin, sex, sexual orientation, gender identity
383 or expression, handicap, familial status, or religion of such
384 person or of any person associated with him or her in connection
385 with such loan or other financial assistance or the purposes of
386 such loan or other financial assistance, or because of the race,
387 color, national origin, sex, sexual orientation, gender identity
388 or expression, handicap, familial status, or religion of the



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389 present or prospective owners, lessees, tenants, or occupants of
390 the dwelling or dwellings in relation to which such loan or
391 other financial assistance is to be made or given.

392 (2) (a) It is unlawful for any person or entity whose
393 business includes engaging in residential real estate
394 transactions to discriminate against any person in making
395 available such a transaction, or in the terms or conditions of
396 such a transaction, because of race, color, national origin,
397 sex, sexual orientation, gender identity or expression,
398 handicap, familial status, or religion.

399 Section 13. Section 760.26, Florida Statutes, is amended to
400 read:

401 760.26 Prohibited discrimination in land use decisions and
402 in permitting of development.—It is unlawful to discriminate in
403 land use decisions or in the permitting of development based on
404 race, color, national origin, sex, sexual orientation, gender
405 identity or expression, disability, familial status, religion,
406 or, except as otherwise provided by law, the source of financing
407 of a development or proposed development.

408 Section 14. Paragraph (a) of subsection (5) of section
409 760.29, Florida Statutes, is amended to read:

410 760.29 Exemptions.—

411 (5) Nothing in ss. 760.20-760.37:

412 (a) Prohibits a person engaged in the business of
413 furnishing appraisals of real property from taking into
414 consideration factors other than race, color, national origin,
415 sex, sexual orientation, gender identity or expression,
416 handicap, familial status, or religion.

417 Section 15. Subsection (1) of section 760.60, Florida



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418 Statutes, is amended to read:

419 760.60 Discriminatory practices of certain clubs
420 prohibited; remedies.—

421 (1) It is unlawful for a person to discriminate against any
422 individual because of race, color, religion, gender, national
423 origin, handicap, age above the age of 21, sexual orientation,
424 gender identity or expression, or marital status in evaluating
425 an application for membership in a club that has more than 400
426 members, that provides regular meal service, and that regularly
427 receives payment for dues, fees, use of space, facilities,
428 services, meals, or beverages directly or indirectly from
429 nonmembers for business purposes. It is unlawful for a person,
430 on behalf of such a club, to publish, circulate, issue, display,
431 post, or mail any advertisement, notice, or solicitation that
432 contains a statement to the effect that the accommodations,
433 advantages, facilities, membership, or privileges of the club
434 are denied to any individual because of race, color, religion,
435 gender, national origin, handicap, age above the age of 21,
436 sexual orientation, gender identity or expression, or marital
437 status. This subsection does not apply to fraternal or
438 benevolent organizations, ethnic clubs, or religious
439 organizations where business activity is not prevalent.

440 Section 16. Paragraph (e) of subsection (1) of section
441 419.001, Florida Statutes, is amended to read:

442 419.001 Site selection of community residential homes.—

443 (1) For the purposes of this section, the term:

444 (e) "Resident" means any of the following: a frail elder as
445 defined in s. 429.65; a person who has a handicap as defined in
446 s. 760.22(8)(a) ~~s. 760.22(7)(a)~~; a person who has a



447 developmental disability as defined in s. 393.063; a
448 nondangerous person who has a mental illness as defined in s.
449 394.455; or a child who is found to be dependent as defined in
450 s. 39.01 or s. 984.03, or a child in need of services as defined
451 in s. 984.03 or s. 985.03.

452 Section 17. This act shall take effect July 1, 2016.

453

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

455 And the title is amended as follows:

456 Delete everything before the enacting clause
457 and insert:

458

A bill to be entitled

459

An act relating to prohibited discrimination; creating

460

the "Florida Competitive Workforce Act"; amending s.

461

760.01, F.S.; revising provisions to include sexual

462

orientation and gender identity or expression as

463

impermissible grounds for discrimination; amending s.

464

760.02, F.S.; adding definitions; amending ss. 760.05,

465

760.07, and 760.08, F.S.; adding sexual orientation

466

and gender identity or expression as impermissible

467

grounds for discrimination; conforming terminology;

468

amending s. 760.10, F.S.; adding sexual orientation

469

and gender identity or expression as impermissible

470

grounds for discrimination; providing an exception for

471

constitutionally protected free exercise of religion;

472

amending s. 509.092, F.S.; adding sexual orientation

473

and gender identity or expression as impermissible

474

grounds for discrimination in public lodging

475

establishments and public food service establishments;



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476 providing an exception for constitutionally protected
477 free exercise of religion; amending s. 760.22, F.S.;
478 adding definitions; amending ss. 760.23, 760.24,
479 760.25, 760.26, 760.29, and 760.60, F.S.; adding
480 sexual orientation and gender identity or expression
481 as impermissible grounds for discrimination; amending
482 s. 419.001, F.S.; conforming a cross-reference;
483 providing an effective date.



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LEGISLATIVE ACTION

Senate

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House

The Committee on Judiciary (Stargel) recommended the following:

1 **Senate Amendment to Amendment (828464) (with title**
2 **amendment)**

3
4 Between lines 253 and 254

5 insert:

6 Section 8. Section 760.101, Florida Statutes, is created to
7 read:

8 760.101 Exemption from part.-

9 (1) As used in this section, the term:

10 (a) "Closely held for-profit entity" means an entity for
11 which no ownership interest is publicly traded and in which at



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12 least 50 percent of the ownership interest is concentrated in 10
13 or fewer owners.

14 (b) "Nonprofit entity" means an organization that qualifies
15 for tax-exempt status under 26 U.S.C. s. 501.

16 (c) "Religious institution" has the same meaning as in s.
17 496.404(23).

18 (2) Notwithstanding s. 760.07 or s. 760.35, a cause of
19 action may not be brought against a closely held for-profit
20 entity, a nonprofit entity, or a religious institution for a
21 violation of this part, part II of this chapter, or s. 509.092
22 for discrimination on the basis of gender identity or expression
23 or sexual orientation, as those terms are defined in s. 760.02,
24 if the entity or institution asserts a religious viewpoint or
25 belief as the reason for the violation.

26
27 ===== T I T L E A M E N D M E N T =====

28 And the title is amended as follows:

29 Between lines 471 and 472

30 insert:

31 creating s. 760.101, F.S.; defining terms; prohibiting
32 a cause of action from being brought against any
33 closely held for-profit entity, nonprofit entity, or
34 religious institution for specified violations under
35 certain circumstances;



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LEGISLATIVE ACTION

Senate

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House

The Committee on Judiciary (Soto) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. This act may be cited as the "Florida
Competitive Workforce Act."

Section 2. Subsection (1) of section 760.01, Florida
Statutes, is republished, and subsection (2) of that section is
amended, to read:

760.01 Purposes; construction; title.—

(1) Sections 760.01-760.11 and 509.092 shall be cited as



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12 the "Florida Civil Rights Act of 1992."

13 (2) The general purposes of the Florida Civil Rights Act of
14 1992 are to secure for all individuals within the state freedom
15 from discrimination because of race, color, religion, sex,
16 pregnancy, national origin, age, sexual orientation, gender
17 identity or expression, disability handicap, or marital status
18 and thereby to protect their interest in personal dignity, to
19 make available to the state their full productive capacities, to
20 secure the state against domestic strife and unrest, to preserve
21 the public safety, health, and general welfare, and to promote
22 the interests, rights, and privileges of individuals within the
23 state.

24 Section 3. Section 760.02, Florida Statutes, is reordered
25 and amended to read:

26 760.02 Definitions.—For the purposes of ss. 760.01-760.11
27 and 509.092, the term:

28 (7)~~(1)~~ "Florida Civil Rights Act of 1992" means ss. 760.01-
29 760.11 and 509.092.

30 (2) "Commission" means the Florida Commission on Human
31 Relations created by s. 760.03.

32 (3) "Commissioner" or "member" means a member of the
33 commission.

34 (4) "Discriminatory practice" means any practice made
35 unlawful by the Florida Civil Rights Act of 1992.

36 (10)~~(5)~~ "National origin" includes ancestry.

37 (11)~~(6)~~ "Person" includes an individual, association,
38 corporation, joint apprenticeship committee, joint-stock
39 company, labor union, legal representative, mutual company,
40 partnership, receiver, trust, trustee in bankruptcy, or



41 unincorporated organization; any other legal or commercial
42 entity; the state; or any governmental entity or agency.

43 (5)~~(7)~~ "Employer" means any person employing 15 or more
44 employees for each working day in each of 20 or more calendar
45 weeks in the current or preceding calendar year, and any agent
46 of such a person.

47 (6)~~(8)~~ "Employment agency" means any person regularly
48 undertaking, with or without compensation, to procure employees
49 for an employer or to procure for employees opportunities to
50 work for an employer, and includes an agent of such a person.

51 (8) "Gender identity or expression" means gender-related
52 identity, appearance, or behavior, regardless of whether such
53 gender-related identity, appearance, or behavior is different
54 from that traditionally associated with the person's physiology
55 or assigned sex at birth, and which gender-related identity can
56 be shown by the person providing evidence, including, but not
57 limited to:

58 (a) Medical history, care, or treatment of the gender-
59 related identity;

60 (b) Consistent and uniform assertion of the gender-related
61 identity; or

62 (c) Other evidence that the gender-related identity is a
63 sincerely held part of a person's core identity and is not being
64 asserted for an improper purpose.

65 (9) "Labor organization" means any organization which
66 exists for the purpose, in whole or in part, of collective
67 bargaining or of dealing with employers concerning grievances,
68 terms or conditions of employment, or other mutual aid or
69 protection in connection with employment.



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70 (1) ~~(10)~~ "Aggrieved person" means any person who files a
71 complaint with the Florida Commission on Human Relations
72 Commission.

73 (12) ~~(11)~~ "Public accommodations" means places of public
74 accommodation, lodgings, facilities principally engaged in
75 selling food for consumption on the premises, gasoline stations,
76 places of exhibition or entertainment, and other covered
77 establishments. Each of the following establishments which
78 serves the public is a place of public accommodation within the
79 meaning of this section:

80 (a) Any inn, hotel, motel, or other establishment that
81 ~~which~~ provides lodging to transient guests, other than an
82 establishment located within a building that ~~which~~ contains not
83 more than four rooms for rent or hire and that ~~which~~ is actually
84 occupied by the proprietor of such establishment as his or her
85 residence.

86 (b) Any restaurant, cafeteria, lunchroom, lunch counter,
87 soda fountain, or other facility principally engaged in selling
88 food for consumption on the premises, including, but not limited
89 to, any such facility located on the premises of any retail
90 establishment, or any gasoline station.

91 (c) Any motion picture theater, theater, concert hall,
92 sports arena, stadium, or other place of exhibition or
93 entertainment.

94 (d) Any establishment that ~~which~~ is physically located
95 within the premises of any establishment otherwise covered by
96 this subsection, or within the premises of which is physically
97 located any such covered establishment, and that ~~which~~ holds
98 itself out as serving patrons of such covered establishment.



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99 (13) "Sexual orientation" means an individual's
100 heterosexuality, homosexuality, or bisexuality.

101 Section 4. Section 760.05, Florida Statutes, is amended to
102 read:

103 760.05 Functions of the commission.—The commission shall
104 promote and encourage fair treatment and equal opportunity for
105 all persons regardless of race, color, religion, sex, pregnancy,
106 national origin, age, sexual orientation, gender identity or
107 expression, disability ~~handicap~~, or marital status and mutual
108 understanding and respect among all members of society. The
109 commission ~~all economic, social, racial, religious, and ethnic~~
110 ~~groups; and~~ shall endeavor to eliminate discrimination against,
111 and antagonism between, persons on the basis of race, color,
112 religion, sex, pregnancy, national origin, age, sexual
113 orientation, gender identity or expression, disability, or
114 marital status ~~religious, racial, and ethnic groups and their~~
115 ~~members~~.

116 Section 5. Section 760.07, Florida Statutes, is amended to
117 read:

118 760.07 Remedies for unlawful discrimination.—Any violation
119 of any Florida statute making unlawful discrimination because of
120 race, color, religion, gender, pregnancy, national origin, age,
121 sexual orientation, gender identity or expression, disability
122 ~~handicap~~, or marital status in the areas of education,
123 employment, housing, or public accommodations gives rise to a
124 cause of action for all relief and damages described in s.
125 760.11(5), unless greater damages are expressly provided for. If
126 the statute prohibiting unlawful discrimination provides an
127 administrative remedy, the action for equitable relief and



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128 damages provided for in this section may be initiated only after
129 the plaintiff has exhausted his or her administrative remedy.
130 The term "public accommodations" does not include lodge halls or
131 other similar facilities of private organizations which are made
132 available for public use occasionally or periodically. The right
133 to trial by jury is preserved in any case in which the plaintiff
134 is seeking actual or punitive damages.

135 Section 6. Section 760.08, Florida Statutes, is amended to
136 read:

137 760.08 Discrimination in places of public accommodation.—
138 All persons are entitled to the full and equal enjoyment of the
139 goods, services, facilities, privileges, advantages, and
140 accommodations of any place of public accommodation without
141 discrimination or segregation on the ground of race, color,
142 national origin, sex, sexual orientation, gender identity or
143 expression, pregnancy, disability ~~handicap~~, familial status, or
144 religion.

145 Section 7. Subsections (1) and (2), paragraphs (a) and (b)
146 of subsection (3), subsections (4), (5), and (6), paragraph (a)
147 of subsection (8), and subsection (9) of section 760.10, Florida
148 Statutes, are amended, and subsection (10) of that section is
149 republished, to read:

150 760.10 Unlawful employment practices.—

151 (1) It is an unlawful employment practice for an employer:

152 (a) To discharge or to fail or refuse to hire any
153 individual, or otherwise to discriminate against any individual
154 with respect to compensation, terms, conditions, or privileges
155 of employment, because of such individual's race, color,
156 religion, sex, pregnancy, national origin, age, sexual



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157 orientation, gender identity or expression, disability handicap,
158 or marital status.

159 (b) To limit, segregate, or classify employees or
160 applicants for employment in any way that ~~which~~ would deprive or
161 tend to deprive any individual of employment opportunities, or
162 adversely affect any individual's status as an employee, because
163 of such individual's race, color, religion, sex, pregnancy,
164 national origin, age, sexual orientation, gender identity or
165 expression, disability handicap, or marital status.

166 (2) It is an unlawful employment practice for an employment
167 agency to fail or refuse to refer for employment, or otherwise
168 to discriminate against, any individual because of race, color,
169 religion, sex, pregnancy, national origin, age, sexual
170 orientation, gender identity or expression, disability handicap,
171 or marital status or to classify or refer for employment any
172 individual on the basis of race, color, religion, sex,
173 pregnancy, national origin, age, sexual orientation, gender
174 identity or expression, disability handicap, or marital status.

175 (3) It is an unlawful employment practice for a labor
176 organization:

177 (a) To exclude or to expel from its membership, or
178 otherwise to discriminate against, any individual because of
179 race, color, religion, sex, pregnancy, national origin, age,
180 sexual orientation, gender identity or expression, disability
181 handicap, or marital status.

182 (b) To limit, segregate, or classify its membership or
183 applicants for membership, or to classify or fail or refuse to
184 refer for employment any individual, in any way that would
185 deprive or tend to deprive any individual of employment



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186 opportunities, or adversely affect any individual's status as an
187 employee or as an applicant for employment, because of such
188 individual's race, color, religion, sex, pregnancy, national
189 origin, age, sexual orientation, gender identity or expression,
190 disability ~~handicap~~, or marital status.

191 (4) It is an unlawful employment practice for any employer,
192 labor organization, or joint labor-management committee
193 controlling apprenticeship or other training or retraining,
194 including on-the-job training programs, to discriminate against
195 any individual because of race, color, religion, sex, pregnancy,
196 national origin, age, sexual orientation, gender identity or
197 expression, disability ~~handicap~~, or marital status in admission
198 to, or employment in, any program established to provide
199 apprenticeship or other training.

200 (5) Whenever, in order to engage in a profession,
201 occupation, or trade, it is required that a person receive a
202 license, certification, or other credential;; become a member or
203 an associate of any club, association, or other organization;;
204 or pass any examination, it is an unlawful employment practice
205 for any person to discriminate against any other person seeking
206 such license, certification, or other credential;; seeking to
207 become a member or associate of such club, association, or other
208 organization;; or seeking to take or pass such examination,
209 because of such other person's race, color, religion, sex,
210 pregnancy, national origin, age, sexual orientation, gender
211 identity or expression, disability ~~handicap~~, or marital status.

212 (6) It is an unlawful employment practice for an employer,
213 a labor organization, an employment agency, or a joint labor-
214 management committee to print, or cause to be printed or



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215 published, any notice or advertisement relating to employment,
216 membership, classification, referral for employment, or
217 apprenticeship or other training which indicates, ~~indicating~~ any
218 preference, limitation, specification, or discrimination, ~~based~~
219 on race, color, religion, sex, pregnancy, national origin, age,
220 sexual orientation, gender identity or expression, absence of
221 disability handicap, or marital status.

222 (8) Notwithstanding any other provision of this section, it
223 is not an unlawful employment practice under ss. 760.01-760.10
224 for an employer, employment agency, labor organization, or joint
225 labor-management committee to:

226 (a) Take or fail to take any action on the basis of
227 religion, sex, pregnancy, national origin, age, sexual
228 orientation, gender identity or expression, disability handicap,
229 or marital status in those certain instances in which religion,
230 sex, condition of pregnancy, national origin, age, sexual
231 orientation, gender identity or expression, absence of a
232 particular disability handicap, or marital status is a bona fide
233 occupational qualification reasonably necessary for the
234 performance of the particular employment to which such action or
235 inaction is related.

236 (9) (a) This section does ~~shall~~ not apply to any religious
237 corporation, association, educational institution, or society
238 which conditions opportunities in the area of employment or
239 public accommodation to members of that religious corporation,
240 association, educational institution, or society or to persons
241 who subscribe to its tenets or beliefs.

242 (b) This section does ~~shall~~ not prohibit a religious
243 corporation, association, educational institution, or society



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244 from giving preference in employment to individuals of a
245 particular religion to perform work connected with the carrying
246 on by such corporations, associations, educational institutions,
247 or societies of its various activities.

248 (c) This section and s. 760.08 do not limit the free
249 exercise of religion guaranteed by the United States
250 Constitution and the State Constitution.

251 (10) Each employer, employment agency, and labor
252 organization shall post and keep posted in conspicuous places
253 upon its premises a notice provided by the commission setting
254 forth such information as the commission deems appropriate to
255 effectuate the purposes of ss. 760.01-760.10.

256 Section 8. Section 509.092, Florida Statutes, is amended to
257 read:

258 509.092 Public lodging establishments and public food
259 service establishments; rights as private enterprises.—

260 (1) Public lodging establishments and public food service
261 establishments are private enterprises, and the operator has the
262 right to refuse accommodations or service to any person who is
263 objectionable or undesirable to the operator, but such refusal
264 may not be based upon race, creed, color, sex, pregnancy,
265 physical disability, sexual orientation, gender identity or
266 expression, or national origin.

267 (2) A person aggrieved by a violation of this section or a
268 violation of a rule adopted under this section has a right of
269 action pursuant to s. 760.11.

270 (3) This section does not limit the free exercise of
271 religion guaranteed by the United States Constitution and the
272 State Constitution.



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273 Section 9. Section 760.22, Florida Statutes, is reordered
274 and amended to read:

275 760.22 Definitions.—As used in this part ~~ss. 760.20-760.37~~,
276 the term:

277 (1) "Commission" means the Florida Commission on Human
278 Relations.

279 (2) "Covered multifamily dwelling" means:

280 (a) A building that ~~which~~ consists of four or more units
281 and has an elevator; or

282 (b) The ground floor units of a building that ~~which~~
283 consists of four or more units and does not have an elevator.

284 ~~(4)-(3)~~ "Discriminatory housing practice" means an act that
285 is unlawful under the terms of this part ~~ss. 760.20-760.37~~.

286 ~~(5)-(4)~~ "Dwelling" means any building or structure, or
287 portion thereof, which is occupied as, or designed or intended
288 for occupancy as, a residence by one or more families, and any
289 vacant land that ~~which~~ is offered for sale or lease for the
290 construction or location on the land of any such building or
291 structure, or portion thereof.

292 ~~(6)-(5)~~ "Familial status" is established when an individual
293 who has not attained the age of 18 years is domiciled with:

294 (a) A parent or other person having legal custody of such
295 individual; or

296 (b) A designee of a parent or other person having legal
297 custody, with the written permission of such parent or other
298 person.

299 ~~(7)-(6)~~ "Family" includes a single individual.

300 (8) "Gender identity or expression" has the same meaning as
301 provided in s. 760.02.



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302 (3)~~(7)~~ "Disability Handicap" means:

303 (a) A ~~person has a~~ physical or mental impairment that which
304 substantially limits one or more major life activities for a
305 person who has, ~~or he or she~~ has a record of having, or is
306 regarded as having that,~~such~~ physical or mental impairment; or

307 (b) A ~~person has a~~ developmental disability as defined in
308 s. 393.063.

309 (9)~~(8)~~ "Person" includes one or more individuals,
310 corporations, partnerships, associations, labor organizations,
311 legal representatives, mutual companies, joint-stock companies,
312 trusts, unincorporated organizations, trustees, trustees in
313 bankruptcy, receivers, and fiduciaries.

314 (10) "Sexual orientation" has the same meaning as provided
315 in s. 760.02.

316 (11)~~(9)~~ "Substantially equivalent" means an administrative
317 subdivision of the State of Florida meeting the requirements of
318 24 C.F.R. part 115, s. 115.6.

319 (12)~~(10)~~ "To rent" includes to lease, to sublease, to let,
320 and otherwise to grant for a consideration the right to occupy
321 premises not owned by the occupant.

322 Section 10. Subsections (1) - (5) of section 760.23,
323 Florida Statutes, are amended to read:

324 760.23 Discrimination in the sale or rental of housing and
325 other prohibited practices.-

326 (1) It is unlawful to refuse to sell or rent after the
327 making of a bona fide offer, to refuse to negotiate for the sale
328 or rental of, or otherwise to make unavailable or deny a
329 dwelling to any person because of race, color, national origin,
330 sex, sexual orientation, gender identity or expression,



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331 disability handicap, familial status, or religion.

332 (2) It is unlawful to discriminate against any person in
333 the terms, conditions, or privileges of sale or rental of a
334 dwelling, or in the provision of services or facilities in
335 connection therewith, because of race, color, national origin,
336 sex, sexual orientation, gender identity or expression,
337 disability handicap, familial status, or religion.

338 (3) It is unlawful to make, print, or publish, or cause to
339 be made, printed, or published, any notice, statement, or
340 advertisement with respect to the sale or rental of a dwelling
341 that indicates any preference, limitation, or discrimination
342 based on race, color, national origin, sex, sexual orientation,
343 gender identity or expression, disability handicap, familial
344 status, or religion or an intention to make any such preference,
345 limitation, or discrimination.

346 (4) It is unlawful to represent to any person because of
347 the person's race, color, national origin, sex, sexual
348 orientation, gender identity or expression, disability handicap,
349 familial status, or religion that any dwelling is not available
350 for inspection, sale, or rental when such dwelling is in fact so
351 available.

352 (5) It is unlawful, for profit, to induce or attempt to
353 induce any person to sell or rent any dwelling by a
354 representation regarding the entry or prospective entry into the
355 neighborhood of a person or persons of a particular race, color,
356 national origin, sex, sexual orientation, gender identity or
357 expression, disability handicap, familial status, or religion.

358 Section 11. Section 760.24, Florida Statutes, is amended to
359 read:



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360 760.24 Discrimination in the provision of brokerage
361 services.—It is unlawful to deny any person access to, or
362 membership or participation in, any multiple-listing service,
363 real estate brokers' organization, or other service,
364 organization, or facility relating to the business of selling or
365 renting dwellings, or to discriminate against him or her in the
366 terms or conditions of such access, membership, or
367 participation, because ~~on account~~ of race, color, national
368 origin, sex, sexual orientation, gender identity or expression,
369 disability ~~handicap~~, familial status, or religion.

370 Section 12. Subsection (1) and paragraph (a) of subsection
371 (2) of section 760.25, Florida Statutes, are amended to read:

372 760.25 Discrimination in the financing of housing or in
373 residential real estate transactions.—

374 (1) It is unlawful for any bank, building and loan
375 association, insurance company, or other corporation,
376 association, firm, or enterprise the business of which consists
377 in whole or in part of the making of commercial real estate
378 loans to deny a loan or other financial assistance to a person
379 applying for the loan for the purpose of purchasing,
380 constructing, improving, repairing, or maintaining a dwelling,
381 or to discriminate against him or her in the fixing of the
382 amount, interest rate, duration, or other term or condition of
383 such loan or other financial assistance, because of the race,
384 color, national origin, sex, sexual orientation, gender identity
385 or expression, disability ~~handicap~~, familial status, or religion
386 of such person or of any person associated with him or her in
387 connection with such loan or other financial assistance or the
388 purposes of such loan or other financial assistance, or because



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389 of the race, color, national origin, sex, sexual orientation,
390 gender identity or expression, disability handicap, familial
391 status, or religion of the present or prospective owners,
392 lessees, tenants, or occupants of the dwelling or dwellings in
393 relation to which such loan or other financial assistance is to
394 be made or given.

395 (2) (a) It is unlawful for any person or entity whose
396 business includes engaging in residential real estate
397 transactions to discriminate against any person in making
398 available such a transaction, or in the terms or conditions of
399 such a transaction, because of race, color, national origin,
400 sex, sexual orientation, gender identity or expression,
401 disability handicap, familial status, or religion.

402 Section 13. Section 760.26, Florida Statutes, is amended to
403 read:

404 760.26 Prohibited discrimination in land use decisions and
405 in permitting of development.—It is unlawful to discriminate in
406 land use decisions or in the permitting of development based on
407 race, color, national origin, sex, sexual orientation, gender
408 identity or expression, disability, familial status, religion,
409 or, except as otherwise provided by law, the source of financing
410 of a development or proposed development.

411 Section 14. Paragraph (a) of subsection (5) of section
412 760.29, Florida Statutes, is amended to read:

413 760.29 Exemptions.—

414 (5) Nothing in ss. 760.20-760.37:

415 (a) Prohibits a person engaged in the business of
416 furnishing appraisals of real property from taking into
417 consideration factors other than race, color, national origin,



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418 sex, sexual orientation, gender identity or expression,
419 disability handicap, familial status, or religion.

420 Section 15. Subsection (1) of section 760.60, Florida
421 Statutes, is amended to read:

422 760.60 Discriminatory practices of certain clubs
423 prohibited; remedies.—

424 (1) It is unlawful for a person to discriminate against any
425 individual because of race, color, religion, gender, national
426 origin, disability handicap, age above the age of 21, sexual
427 orientation, gender identity or expression, or marital status in
428 evaluating an application for membership in a club that has more
429 than 400 members, that provides regular meal service, and that
430 regularly receives payment for dues, fees, use of space,
431 facilities, services, meals, or beverages directly or indirectly
432 from nonmembers for business purposes. It is unlawful for a
433 person, on behalf of such a club, to publish, circulate, issue,
434 display, post, or mail any advertisement, notice, or
435 solicitation that contains a statement to the effect that the
436 accommodations, advantages, facilities, membership, or
437 privileges of the club are denied to any individual because of
438 race, color, religion, gender, national origin, disability
439 handicap, age above the age of 21, sexual orientation, gender
440 identity or expression, or marital status. This subsection does
441 not apply to fraternal or benevolent organizations, ethnic
442 clubs, or religious organizations where business activity is not
443 prevalent.

444 Section 16. Paragraph (e) of subsection (1) of section
445 419.001, Florida Statutes, is amended to read:

446 419.001 Site selection of community residential homes.—



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447 (1) For the purposes of this section, the term:
448 (e) "Resident" means any of the following: a frail elder as
449 defined in s. 429.65; a person who has a disability ~~handicap~~ as
450 defined in s. 760.22(3)(a) ~~s. 760.22(7)(a)~~; a person who has a
451 developmental disability as defined in s. 393.063; a
452 nondangerous person who has a mental illness as defined in s.
453 394.455; or a child who is found to be dependent as defined in
454 s. 39.01 or s. 984.03, or a child in need of services as defined
455 in s. 984.03 or s. 985.03.

456 Section 17. This act shall take effect July 1, 2016.

457
458 ===== T I T L E A M E N D M E N T =====

459 And the title is amended as follows:

460 Delete everything before the enacting clause
461 and insert:

462 A bill to be entitled
463 An act relating to prohibited discrimination; creating
464 the "Florida Competitive Workforce Act"; amending s.
465 760.01, F.S.; revising provisions to include sexual
466 orientation and gender identity or expression as
467 impermissible grounds for discrimination; revising
468 terminology; amending s. 760.02, F.S.; adding
469 definitions; amending ss. 760.05, 760.07, and 760.08,
470 F.S.; adding sexual orientation and gender identity or
471 expression as impermissible grounds for
472 discrimination; conforming and revising terminology;
473 amending s. 760.10, F.S.; adding sexual orientation
474 and gender identity or expression as impermissible
475 grounds for discrimination; providing an exception for



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476 constitutionally protected free exercise of religion;
477 revising terminology; amending s. 509.092, F.S.;
478 adding sexual orientation and gender identity or
479 expression as impermissible grounds for discrimination
480 in public lodging establishments and public food
481 service establishments; providing an exception for
482 constitutionally protected free exercise of religion;
483 revising terminology; amending s. 760.22, F.S.; adding
484 and revising definitions; amending ss. 760.23, 760.24,
485 760.25, 760.26, 760.29, and 760.60, F.S.; adding
486 sexual orientation and gender identity or expression
487 as impermissible grounds for discrimination; revising
488 terminology; amending s. 419.001, F.S.; conforming a
489 cross-reference; providing an effective date.



906078

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
02/09/2016	.	
	.	
	.	
	.	

The Committee on Judiciary (Stargel) recommended the following:

1 **Senate Amendment to Amendment (873568) (with title**
2 **amendment)**

3
4 Between lines 255 and 256

5 insert:

6 Section 8. Section 760.101, Florida Statutes, is created to
7 read:

8 760.101 Exemption from part.-

9 (1) As used in this section, the term:

10 (a) "Closely held for-profit entity" means an entity for
11 which no ownership interest is publicly traded and in which at



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12 least 50 percent of the ownership interest is concentrated in 10
13 or fewer owners.

14 (b) "Nonprofit entity" means an organization that qualifies
15 for tax-exempt status under 26 U.S.C. s. 501.

16 (c) "Religious institution" has the same meaning as in s.
17 496.404(23).

18 (2) Notwithstanding s. 760.07 or s. 760.35, a cause of
19 action may not be brought against a closely held for-profit
20 entity, a nonprofit entity, or a religious institution for a
21 violation of this part, part II of this chapter, or s. 509.092
22 for discrimination on the basis of gender identity or expression
23 or sexual orientation, as those terms are defined in s. 760.02,
24 if the entity or institution asserts a religious viewpoint or
25 belief as the reason for the violation.

26
27 ===== T I T L E A M E N D M E N T =====

28 And the title is amended as follows:

29 Delete line 477

30 and insert:

31 revising terminology; creating s. 760.101, F.S.;

32 defining terms; prohibiting a cause of action from

33 being brought against any closely held for-profit

34 entity, nonprofit entity, or religious institution for

35 specified violations under certain circumstances;

36 amending s. 509.092, F.S.;



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LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
02/10/2016	.	
	.	
	.	
	.	

The Committee on Judiciary (Simmons) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. This act may be cited as the "Florida
Competitive Workforce Act."

Section 2. Subsection (1) of section 760.01, Florida
Statutes, is republished, and subsection (2) of that section is
amended, to read:

760.01 Purposes; construction; title.—

(1) Sections 760.01-760.11 and 509.092 shall be cited as



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12 the "Florida Civil Rights Act of 1992."

13 (2) The general purposes of the Florida Civil Rights Act of
14 1992 are to secure for all individuals within the state freedom
15 from discrimination because of race, color, religion, sex,
16 pregnancy, national origin, age, sexual orientation, gender
17 identity, handicap, or marital status and thereby to protect
18 their interest in personal dignity, to make available to the
19 state their full productive capacities, to secure the state
20 against domestic strife and unrest, to preserve the public
21 safety, health, and general welfare, and to promote the
22 interests, rights, and privileges of individuals within the
23 state.

24 Section 3. Section 760.02, Florida Statutes, is reordered
25 and amended to read:

26 760.02 Definitions.—For the purposes of ss. 760.01-760.11
27 and 509.092, the term:

28 (7)~~(1)~~ "Florida Civil Rights Act of 1992" means ss. 760.01-
29 760.11 and 509.092.

30 (2) "Commission" means the Florida Commission on Human
31 Relations created by s. 760.03.

32 (3) "Commissioner" or "member" means a member of the
33 commission.

34 (4) "Discriminatory practice" means any practice made
35 unlawful by the Florida Civil Rights Act of 1992.

36 (10)~~(5)~~ "National origin" includes ancestry.

37 (11)~~(6)~~ "Person" includes an individual, association,
38 corporation, joint apprenticeship committee, joint-stock
39 company, labor union, legal representative, mutual company,
40 partnership, receiver, trust, trustee in bankruptcy, or



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41 unincorporated organization; any other legal or commercial
42 entity; the state; or any governmental entity or agency.

43 (5)~~(7)~~ "Employer" means any person employing 15 or more
44 employees for each working day in each of 20 or more calendar
45 weeks in the current or preceding calendar year, and any agent
46 of such a person.

47 (6)~~(8)~~ "Employment agency" means any person regularly
48 undertaking, with or without compensation, to procure employees
49 for an employer or to procure for employees opportunities to
50 work for an employer, and includes an agent of such a person.

51 (8) "Gender identity" means gender-related identity,
52 appearance, or behavior, regardless of whether such gender-
53 related identity, appearance, or behavior is different from that
54 traditionally associated with the person's physiology or
55 assigned sex at birth, and which gender-related identity can be
56 shown by the person providing clear evidence based upon medical
57 history, care, or treatment of the gender-related identity; and

58 (a) Consistent and uniform assertion of the gender-related
59 identity; or

60 (b) Other evidence that the gender-related identity is a
61 sincerely held part of a person's core identity and is not being
62 asserted for an improper purpose.

63 (9) "Labor organization" means any organization which
64 exists for the purpose, in whole or in part, of collective
65 bargaining or of dealing with employers concerning grievances,
66 terms or conditions of employment, or other mutual aid or
67 protection in connection with employment.

68 (1)~~(10)~~ "Aggrieved person" means any person who files a
69 complaint with the Florida Commission on Human Relations



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70 ~~Commission.~~

71 (12)~~(11)~~ "Public accommodations" means places of public
72 accommodation, lodgings, facilities principally engaged in
73 selling food for consumption on the premises, gasoline stations,
74 places of exhibition or entertainment, and other such covered
75 establishments. The term does not include lodge halls, churches,
76 synagogues, worship centers, or other similar facilities of
77 private organizations even if they are made available for public
78 use occasionally or periodically. Each of the following
79 establishments which serves the public is a place of public
80 accommodation within the meaning of this section:

81 (a) Any inn, hotel, motel, or other establishment that
82 ~~which~~ provides lodging to transient guests, other than an
83 establishment located within a building that ~~which~~ contains not
84 more than four rooms for rent or hire and that ~~which~~ is actually
85 occupied by the proprietor of such establishment as his or her
86 residence.

87 (b) Any restaurant, cafeteria, lunchroom, lunch counter,
88 soda fountain, or other facility principally engaged in selling
89 food for consumption on the premises, including, but not limited
90 to, any such facility located on the premises of any retail
91 establishment, or any gasoline station.

92 (c) Any motion picture theater, theater, concert hall,
93 sports arena, stadium, or other place of exhibition or
94 entertainment.

95 (d) Any establishment that ~~which~~ is physically located
96 within the premises of any establishment otherwise covered by
97 this subsection, or within the premises of which is physically
98 located any such covered establishment, and that ~~which~~ holds



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99 itself out as serving patrons of such covered establishment.

100 (13) "Sexual orientation" means an individual's human
101 heterosexuality, homosexuality, or bisexuality.

102 Section 4. Section 760.05, Florida Statutes, is amended to
103 read:

104 760.05 Functions of the commission.—The commission shall
105 promote and encourage fair treatment and equal opportunity for
106 all persons regardless of race, color, religion, sex, pregnancy,
107 national origin, age, sexual orientation, gender identity,
108 handicap, or marital status and mutual understanding and respect
109 among all members of society. The commission ~~all economic,~~
110 ~~social, racial, religious, and ethnic groups;~~ and shall endeavor
111 to eliminate discrimination against, and antagonism between,
112 persons on the basis of improper considerations relating to
113 race, color, religion, sex, pregnancy, national origin, age,
114 sexual orientation, gender identity, handicap, or marital status
115 ~~religious, racial, and ethnic groups and their members.~~

116 Section 5. Section 760.07, Florida Statutes, is amended to
117 read:

118 760.07 Remedies for unlawful discrimination.—Any violation
119 of any Florida statute making unlawful discrimination because of
120 race, color, religion, gender, pregnancy, national origin, age,
121 sexual orientation, gender identity, handicap, or marital status
122 in the areas of education, employment, housing, or public
123 accommodations gives rise to a cause of action for all relief
124 and damages described in s. 760.11(5), unless greater damages
125 are expressly provided for. If the statute prohibiting unlawful
126 discrimination provides an administrative remedy, the action for
127 equitable relief and damages provided for in this section may be



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128 initiated only after the plaintiff has exhausted his or her
129 administrative remedy. ~~The term "public accommodations" does not~~
130 ~~include lodge halls or other similar facilities of private~~
131 ~~organizations which are made available for public use~~
132 ~~occasionally or periodically.~~ The right to trial by jury is
133 preserved in any case in which the plaintiff is seeking actual
134 or punitive damages.

135 Section 6. Section 760.08, Florida Statutes, is amended to
136 read:

137 760.08 Discrimination in places of public accommodation.—
138 All persons are entitled to the full and equal enjoyment of the
139 goods, services, facilities, privileges, advantages, and
140 accommodations of any place of public accommodation without
141 discrimination or segregation on the ground of race, color,
142 national origin, sex, sexual orientation, gender identity,
143 pregnancy, handicap, familial status, or religion.

144 Section 7. Subsections (1) and (2), paragraphs (a) and (b)
145 of subsection (3), subsections (4), (5), and (6), paragraph (a)
146 of subsection (8), and subsection (9) of section 760.10, Florida
147 Statutes, are amended, and subsection (10) of that section is
148 republished, to read:

149 760.10 Unlawful employment practices.—

150 (1) It is an unlawful employment practice for an employer:

151 (a) To discharge or to fail or refuse to hire any
152 individual, or otherwise to discriminate against any individual
153 with respect to compensation, terms, conditions, or privileges
154 of employment, because of such individual's race, color,
155 religion, sex, pregnancy, national origin, age, sexual
156 orientation, gender identity, handicap, or marital status.



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157 (b) To limit, segregate, or classify employees or
158 applicants for employment in any way that ~~which~~ would deprive or
159 tend to deprive any individual of employment opportunities, or
160 adversely affect any individual's status as an employee, because
161 of such individual's race, color, religion, sex, pregnancy,
162 national origin, age, sexual orientation, gender identity,
163 handicap, or marital status.

164 (2) It is an unlawful employment practice for an employment
165 agency to fail or refuse to refer for employment, or otherwise
166 to discriminate against, any individual because of race, color,
167 religion, sex, pregnancy, national origin, age, sexual
168 orientation, gender identity, handicap, or marital status or to
169 classify or refer for employment any individual on the basis of
170 race, color, religion, sex, pregnancy, national origin, age,
171 sexual orientation, gender identity, handicap, or marital
172 status.

173 (3) It is an unlawful employment practice for a labor
174 organization:

175 (a) To exclude or to expel from its membership, or
176 otherwise to discriminate against, any individual because of
177 race, color, religion, sex, pregnancy, national origin, age,
178 sexual orientation, gender identity, handicap, or marital
179 status.

180 (b) To limit, segregate, or classify its membership or
181 applicants for membership, or to classify or fail or refuse to
182 refer for employment any individual, in any way that would
183 deprive or tend to deprive any individual of employment
184 opportunities, or adversely affect any individual's status as an
185 employee or as an applicant for employment, because of such



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186 individual's race, color, religion, sex, pregnancy, national
187 origin, age, sexual orientation, gender identity, handicap, or
188 marital status.

189 (4) It is an unlawful employment practice for any employer,
190 labor organization, or joint labor-management committee
191 controlling apprenticeship or other training or retraining,
192 including on-the-job training programs, to discriminate against
193 any individual because of race, color, religion, sex, pregnancy,
194 national origin, age, sexual orientation, gender identity,
195 handicap, or marital status in admission to, or employment in,
196 any program established to provide apprenticeship or other
197 training.

198 (5) Whenever, in order to engage in a profession,
199 occupation, or trade, it is required that a person receive a
200 license, certification, or other credential;~~;~~ become a member or
201 an associate of any club, association, or other organization;~~;~~
202 or pass any examination, it is an unlawful employment practice
203 for any person to discriminate against any other person seeking
204 such license, certification, or other credential;~~;~~ seeking to
205 become a member or associate of such club, association, or other
206 organization;~~;~~ or seeking to take or pass such examination,
207 because of such other person's race, color, religion, sex,
208 pregnancy, national origin, age, sexual orientation, gender
209 identity, handicap, or marital status.

210 (6) It is an unlawful employment practice for an employer,
211 a labor organization, an employment agency, or a joint labor-
212 management committee to print, or cause to be printed or
213 published, any notice or advertisement relating to employment,
214 membership, classification, referral for employment, or



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215 apprenticeship or other training which indicates,~~indicating~~ any
216 preference, limitation, specification, or discrimination~~,~~ based
217 on a person's race, color, religion, sex, pregnancy, national
218 origin, age, sexual orientation, gender identity, absence of
219 handicap, or marital status.

220 (8) Notwithstanding any other provision of this section, it
221 is not an unlawful employment practice under ss. 760.01-760.10
222 for an employer, employment agency, labor organization, or joint
223 labor-management committee to:

224 (a) Take or fail to take any action on the basis of a
225 person's religion, sex, pregnancy, national origin, age, sexual
226 orientation, gender identity, handicap, or marital status in
227 those certain instances in which religion, sex, condition of
228 pregnancy, national origin, age, sexual orientation, gender
229 identity, absence of a particular handicap, or marital status is
230 a bona fide occupational qualification reasonably necessary for
231 the performance of the particular employment to which such
232 action or inaction is related.

233 (9) (a) This section does ~~shall~~ not apply to any religious
234 corporation, association, educational institution, organization,
235 or society which conditions opportunities in the area of
236 employment or public accommodation to members of that religious
237 corporation, association, educational institution, organization,
238 or society or to persons who subscribe to its tenets or beliefs.

239 (b) This section does ~~shall~~ not prohibit a religious
240 corporation, association, educational institution, organization,
241 or society from giving preference in employment to individuals
242 of a particular religion to perform work connected with the
243 carrying on by such corporations, associations, educational



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244 institutions, or societies of its various activities.

245 (c) This section and s. 760.08 are subject to ss. 761.01,
246 761.02, 761.03, 761.04, and 761.05, any other state or federal
247 statutes protecting the free exercise of religion, and may not
248 be interpreted to limit the free exercise of religion and
249 assembly guaranteed by the United States Constitution and the
250 State Constitution.

251 (10) Each employer, employment agency, and labor
252 organization shall post and keep posted in conspicuous places
253 upon its premises a notice provided by the commission setting
254 forth such information as the commission deems appropriate to
255 effectuate the purposes of ss. 760.01-760.10.

256 Section 8. Section 509.092, Florida Statutes, is amended to
257 read:

258 509.092 Public lodging establishments and public food
259 service establishments; rights as private enterprises.—

260 (1) Public lodging establishments and public food service
261 establishments are private enterprises, and the operator has the
262 right to refuse accommodations or service to any person who is
263 objectionable or undesirable to the operator, but such refusal
264 may not be based upon the person's race, creed, color, sex,
265 pregnancy, physical disability, sexual orientation, gender
266 identity, or national origin.

267 (2) A person aggrieved by a violation of this section or a
268 violation of a rule adopted under this section has a right of
269 action pursuant to s. 760.11.

270 (3) This section is subject to ss. 761.01, 761.02, 761.03,
271 761.04, and 761.05, any other state or federal statutes
272 protecting the free exercise of religion, and may not be



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273 interpreted to limit the free exercise of religion and assembly
274 guaranteed by the United States Constitution and the State
275 Constitution.

276 Section 9. Section 760.22, Florida Statutes, is amended to
277 read:

278 760.22 Definitions.—As used in this part ~~ss. 760.20-760.37~~,
279 the term:

280 (1) "Commission" means the Florida Commission on Human
281 Relations.

282 (2) "Covered multifamily dwelling" means:

283 (a) A building that ~~which~~ consists of four or more units
284 and has an elevator; or

285 (b) The ground floor units of a building that ~~which~~
286 consists of four or more units and does not have an elevator.

287 (3) "Discriminatory housing practice" means an act that is
288 unlawful under the terms of this part ~~ss. 760.20-760.37~~.

289 (4) "Dwelling" means any building or structure, or portion
290 thereof, which is occupied as, or designed or intended for
291 occupancy as, a residence by one or more families, and any
292 vacant land that ~~which~~ is offered for sale or lease for the
293 construction or location on the land of any such building or
294 structure, or portion thereof.

295 (5) "Familial status" is established when an individual who
296 has not attained the age of 18 years is domiciled with:

297 (a) A parent or other person having legal custody of such
298 individual; or

299 (b) A designee of a parent or other person having legal
300 custody, with the written permission of such parent or other
301 person.



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302 (6) "Family" includes a single individual.

303 (7) "Gender identity" has the same meaning as provided in
304 s. 760.02.

305 (8)~~(7)~~ "Handicap" means:

306 (a) A ~~person has a~~ physical or mental impairment that ~~which~~
307 substantially limits one or more major life activities for a
308 person who has, ~~or he or she~~ has a record of having, or is
309 regarded as having that, ~~such~~ physical or mental impairment; or

310 (b) A ~~person has a~~ developmental disability as defined in
311 s. 393.063.

312 (9)~~(8)~~ "Person" includes one or more individuals,
313 corporations, partnerships, associations, labor organizations,
314 legal representatives, mutual companies, joint-stock companies,
315 trusts, unincorporated organizations, trustees, trustees in
316 bankruptcy, receivers, and fiduciaries.

317 (10) "Sexual orientation" has the same meaning as provided
318 in s. 760.02.

319 (11)~~(9)~~ "Substantially equivalent" means an administrative
320 subdivision of the State of Florida meeting the requirements of
321 24 C.F.R. part 115, s. 115.6.

322 (12)~~(10)~~ "To rent" includes to lease, to sublease, to let,
323 and otherwise to grant for a consideration the right to occupy
324 premises not owned by the occupant.

325 Section 10. Subsections (1) - (5) of section 760.23,
326 Florida Statutes, are amended to read:

327 760.23 Discrimination in the sale or rental of housing and
328 other prohibited practices.—

329 (1) It is unlawful to refuse to sell or rent after the
330 making of a bona fide offer, to refuse to negotiate for the sale



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331 or rental of, or otherwise to make unavailable or deny a
332 dwelling to any person because of race, color, national origin,
333 sex, sexual orientation, gender identity, handicap, familial
334 status, or religion.

335 (2) It is unlawful to discriminate against any person in
336 the terms, conditions, or privileges of sale or rental of a
337 dwelling, or in the provision of services or facilities in
338 connection therewith, because of race, color, national origin,
339 sex, sexual orientation, gender identity, handicap, familial
340 status, or religion.

341 (3) It is unlawful to make, print, or publish, or cause to
342 be made, printed, or published, any notice, statement, or
343 advertisement with respect to the sale or rental of a dwelling
344 that indicates any preference, limitation, or discrimination
345 based on a person's race, color, national origin, sex, sexual
346 orientation, gender identity, handicap, familial status, or
347 religion or an intention to make any such preference,
348 limitation, or discrimination.

349 (4) It is unlawful to represent to any person because of
350 the person's race, color, national origin, sex, sexual
351 orientation, gender identity, handicap, familial status, or
352 religion that any dwelling is not available for inspection,
353 sale, or rental when such dwelling is in fact so available.

354 (5) It is unlawful, for profit, to induce or attempt to
355 induce any person to sell or rent any dwelling by a
356 representation regarding the entry or prospective entry into the
357 neighborhood of a person or persons of a particular race, color,
358 national origin, sex, sexual orientation, gender identity,
359 handicap, familial status, or religion.



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360 Section 11. Section 760.24, Florida Statutes, is amended to
361 read:

362 760.24 Discrimination in the provision of brokerage
363 services.—It is unlawful to deny any person access to, or
364 membership or participation in, any multiple-listing service,
365 real estate brokers' organization, or other service,
366 organization, or facility relating to the business of selling or
367 renting dwellings, or to discriminate against him or her in the
368 terms or conditions of such access, membership, or
369 participation, because ~~on account~~ of race, color, national
370 origin, sex, sexual orientation, gender identity, handicap,
371 familial status, or religion.

372 Section 12. Subsection (1) and paragraph (a) of subsection
373 (2) of section 760.25, Florida Statutes, are amended to read:

374 760.25 Discrimination in the financing of housing or in
375 residential real estate transactions.—

376 (1) It is unlawful for any bank, building and loan
377 association, insurance company, or other corporation,
378 association, firm, or enterprise the business of which consists
379 in whole or in part of the making of commercial real estate
380 loans to deny a loan or other financial assistance to a person
381 applying for the loan for the purpose of purchasing,
382 constructing, improving, repairing, or maintaining a dwelling,
383 or to discriminate against him or her in the fixing of the
384 amount, interest rate, duration, or other term or condition of
385 such loan or other financial assistance, because of the race,
386 color, national origin, sex, sexual orientation, gender
387 identity, handicap, familial status, or religion of such person
388 or of any person associated with him or her in connection with



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389 such loan or other financial assistance or the purposes of such
390 loan or other financial assistance, or because of the race,
391 color, national origin, sex, sexual orientation, gender
392 identity, handicap, familial status, or religion of the present
393 or prospective owners, lessees, tenants, or occupants of the
394 dwelling or dwellings in relation to which such loan or other
395 financial assistance is to be made or given.

396 (2) (a) It is unlawful for any person or entity whose
397 business includes engaging in residential real estate
398 transactions to discriminate against any person in making
399 available such a transaction, or in the terms or conditions of
400 such a transaction, because of race, color, national origin,
401 sex, sexual orientation, gender identity, handicap, familial
402 status, or religion.

403 Section 13. Section 760.26, Florida Statutes, is amended to
404 read:

405 760.26 Prohibited discrimination in land use decisions and
406 in permitting of development.—It is unlawful to discriminate in
407 land use decisions or in the permitting of development based on
408 a person's race, color, national origin, sex, sexual
409 orientation, gender identity, disability, familial status,
410 religion, or, except as otherwise provided by law, the source of
411 financing of a development or proposed development.

412 Section 14. Paragraph (a) of subsection (5) of section
413 760.29, Florida Statutes, is amended to read:

414 760.29 Exemptions.—

415 (5) Nothing in ss. 760.20-760.37:

416 (a) Prohibits a person engaged in the business of
417 furnishing appraisals of real property from taking into



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418 consideration factors other than race, color, national origin,
419 sex, sexual orientation, gender identity, handicap, familial
420 status, or religion.

421 Section 15. Subsection (1) of section 760.60, Florida
422 Statutes, is amended to read:

423 760.60 Discriminatory practices of certain clubs
424 prohibited; remedies.-

425 (1) It is unlawful for a person to discriminate against any
426 individual because of race, color, religion, gender, national
427 origin, handicap, age above the age of 21, sexual orientation,
428 gender identity, or marital status in evaluating an application
429 for membership in a club that has more than 400 members, that
430 provides regular meal service, and that regularly receives
431 payment for dues, fees, use of space, facilities, services,
432 meals, or beverages directly or indirectly from nonmembers for
433 business purposes. It is unlawful for a person, on behalf of
434 such a club, to publish, circulate, issue, display, post, or
435 mail any advertisement, notice, or solicitation that contains a
436 statement to the effect that the accommodations, advantages,
437 facilities, membership, or privileges of the club are denied to
438 any individual because of race, color, religion, gender,
439 national origin, handicap, age above the age of 21, sexual
440 orientation, gender identity, or marital status. This subsection
441 does not apply to fraternal or benevolent organizations, ethnic
442 clubs, or religious organizations where business activity is not
443 prevalent.

444 Section 16. Paragraph (e) of subsection (1) of section
445 419.001, Florida Statutes, is amended to read:

446 419.001 Site selection of community residential homes.-



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447 (1) For the purposes of this section, the term:
448 (e) "Resident" means any of the following: a frail elder as
449 defined in s. 429.65; a person who has a handicap as defined in
450 s. 760.22(8)(a) ~~s. 760.22(7)(a)~~; a person who has a
451 developmental disability as defined in s. 393.063; a
452 nondangerous person who has a mental illness as defined in s.
453 394.455; or a child who is found to be dependent as defined in
454 s. 39.01 or s. 984.03, or a child in need of services as defined
455 in s. 984.03 or s. 985.03.

456 Section 17. This act shall take effect July 1, 2016.

457
458 ===== T I T L E A M E N D M E N T =====

459 And the title is amended as follows:

460 Delete everything before the enacting clause
461 and insert:

462 A bill to be entitled
463 An act relating to prohibited discrimination; creating
464 the "Florida Competitive Workforce Act"; amending s.
465 760.01, F.S.; revising provisions to include sexual
466 orientation and gender identity as impermissible
467 grounds for discrimination; amending s. 760.02, F.S.;
468 adding and revising definitions; amending s. 760.05,
469 F.S.; adding sexual orientation and gender identity as
470 impermissible grounds for discrimination; revising the
471 Florida Commission on Human Relations' functions;
472 amending s. 760.07, F.S.; adding sexual orientation
473 and gender identity as impermissible grounds for
474 discrimination; deleting a provision relating to the
475 term "public accommodations"; amending s. 760.08,



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476 F.S.; adding sexual orientation and gender identity as
477 impermissible grounds for discrimination; conforming
478 terminology; amending s. 760.10, F.S.; adding sexual
479 orientation and gender identity as impermissible
480 grounds for discrimination; providing an exception for
481 constitutionally protected free exercise of religion;
482 amending s. 509.092, F.S.; adding sexual orientation
483 and gender identity as impermissible grounds for
484 discrimination in public lodging establishments and
485 public food service establishments; providing an
486 exception for constitutionally protected free exercise
487 of religion; amending s. 760.22, F.S.; adding
488 definitions; amending ss. 760.23, 760.24, 760.25,
489 760.26, 760.29, and 760.60, F.S.; adding sexual
490 orientation and gender identity as impermissible
491 grounds for discrimination; amending s. 419.001, F.S.;
492 conforming a cross-reference; providing an effective
493 date.



978134

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
02/10/2016	.	
	.	
	.	
	.	

The Committee on Judiciary (Stargel) recommended the following:

1 **Senate Amendment to Amendment (131762) (with title**
2 **amendment)**

3
4 Between lines 255 and 256

5 insert:

6 Section 8. Section 760.101, Florida Statutes, is created to
7 read:

8 760.101 Exemption from part.-

9 (1) As used in this section, the term:

10 (a) "Closely held for-profit entity" means an entity for
11 which no ownership interest is publicly traded and in which at



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12 least 50 percent of the ownership interest is concentrated in 10
13 or fewer owners.

14 (b) "Nonprofit entity" means an organization that qualifies
15 for tax-exempt status under 26 U.S.C. s. 501.

16 (c) "Religious institution" has the same meaning as in s.
17 496.404(23).

18 (2) Notwithstanding s. 760.07 or s. 760.35, a cause of
19 action may not be brought against a closely held for-profit
20 entity, a nonprofit entity, or a religious institution for a
21 violation of this part, part II of this chapter, or s. 509.092
22 for discrimination on the basis of gender identity or sexual
23 orientation, as those terms are defined in s. 760.02, if the
24 entity or institution asserts a religious viewpoint or belief as
25 the reason for the violation.

26
27 ===== T I T L E A M E N D M E N T =====

28 And the title is amended as follows:

29 Delete line 481

30 and insert:

31 creating s. 760.101, F.S.; defining terms; prohibiting
32 a cause of action from being brought against any
33 closely held for-profit entity, nonprofit entity, or
34 religious institution for specified violations under
35 certain circumstances;

By Senator Abruzzo

25-00121-16

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1 A bill to be entitled
 2 An act relating to prohibited discrimination; creating
 3 the "Florida Competitive Workforce Act"; amending s.
 4 760.01, F.S.; revising provisions to include sexual
 5 orientation and gender identity or expression and the
 6 perception of race, color, religion, sex, national
 7 origin, age, sexual orientation, gender identity or
 8 expression, handicap, or marital status as
 9 impermissible grounds for discrimination; amending s.
 10 760.02, F.S.; adding definitions; amending ss. 760.05,
 11 760.07, and 760.08, F.S.; adding sexual orientation
 12 and gender identity or expression as impermissible
 13 grounds for discrimination; conforming terminology;
 14 amending s. 760.10, F.S.; adding sexual orientation
 15 and gender identity or expression as impermissible
 16 grounds for discrimination; providing an exception for
 17 constitutionally protected free exercise of religion;
 18 amending s. 509.092, F.S.; adding sexual orientation
 19 and gender identity or expression as impermissible
 20 grounds for discrimination in public lodging
 21 establishments and public food service establishments;
 22 providing an exception for constitutionally protected
 23 free exercise of religion; amending s. 760.22, F.S.;
 24 adding definitions; amending ss. 760.23, 760.24,
 25 760.25, 760.26, 760.29, and 760.60, F.S.; adding
 26 sexual orientation and gender identity or expression
 27 as impermissible grounds for discrimination; amending
 28 s. 419.001, F.S.; conforming a cross-reference;
 29 providing an effective date.

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30
 31 Be It Enacted by the Legislature of the State of Florida:
 32
 33 Section 1. This act may be cited as the "Florida
 34 Competitive Workforce Act."
 35 Section 2. Subsection (1) of section 760.01, Florida
 36 Statutes, is republished, and subsection (2) of that section is
 37 amended, to read:
 38 760.01 Purposes; construction; title.—
 39 (1) Sections 760.01-760.11 and 509.092 shall be cited as
 40 the "Florida Civil Rights Act of 1992."
 41 (2) The general purposes of the Florida Civil Rights Act of
 42 1992 are to secure for all individuals within the state freedom
 43 from discrimination because of, or based on the perception of,
 44 race, color, religion, sex, pregnancy, national origin, age,
 45 sexual orientation, gender identity or expression, handicap, or
 46 marital status and thereby to protect their interest in personal
 47 dignity, to make available to the state their full productive
 48 capacities, to secure the state against domestic strife and
 49 unrest, to preserve the public safety, health, and general
 50 welfare, and to promote the interests, rights, and privileges of
 51 individuals within the state.
 52 Section 3. Section 760.02, Florida Statutes, is reordered
 53 and amended to read:
 54 760.02 Definitions.—For the purposes of ss. 760.01-760.11
 55 and 509.092, the term:
 56 (7)(i) "Florida Civil Rights Act of 1992" means ss. 760.01-
 57 760.11 and 509.092.
 58 (2) "Commission" means the Florida Commission on Human

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59 Relations created by s. 760.03.

60 (3) "Commissioner" or "member" means a member of the
61 commission.

62 (4) "Discriminatory practice" means any practice made
63 unlawful by the Florida Civil Rights Act of 1992.

64 ~~(10)~~~~(5)~~ "National origin" includes ancestry.

65 ~~(11)~~~~(6)~~ "Person" includes an individual, association,
66 corporation, joint apprenticeship committee, joint-stock
67 company, labor union, legal representative, mutual company,
68 partnership, receiver, trust, trustee in bankruptcy, or
69 unincorporated organization; any other legal or commercial
70 entity; the state; or any governmental entity or agency.

71 ~~(5)~~~~(7)~~ "Employer" means any person employing 15 or more
72 employees for each working day in each of 20 or more calendar
73 weeks in the current or preceding calendar year, and any agent
74 of such a person.

75 ~~(6)~~~~(8)~~ "Employment agency" means any person regularly
76 undertaking, with or without compensation, to procure employees
77 for an employer or to procure for employees opportunities to
78 work for an employer, and includes an agent of such a person.

79 (8) "Gender identity or expression" means gender-related
80 identity, appearance, or behavior, regardless of whether such
81 gender-related identity, appearance, or behavior is different
82 from that traditionally associated with the person's physiology
83 or assigned sex at birth, and which gender-related identity can
84 be shown by the person providing evidence, including, but not
85 limited to:

86 (a) Medical history, care, or treatment of the gender-
87 related identity;

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88 (b) Consistent and uniform assertion of the gender-related
89 identity; or

90 (c) Other evidence that the gender-related identity is a
91 sincerely held part of a person's core identity and is not being
92 asserted for an improper purpose.

93 (9) "Labor organization" means any organization which
94 exists for the purpose, in whole or in part, of collective
95 bargaining or of dealing with employers concerning grievances,
96 terms or conditions of employment, or other mutual aid or
97 protection in connection with employment.

98 ~~(1)~~~~(10)~~ "Aggrieved person" means any person who files a
99 complaint with the Florida Commission on Human Relations
100 Commission.

101 ~~(12)~~~~(11)~~ "Public accommodations" means places of public
102 accommodation, lodgings, facilities principally engaged in
103 selling food for consumption on the premises, gasoline stations,
104 places of exhibition or entertainment, and other covered
105 establishments. Each of the following establishments which
106 serves the public is a place of public accommodation within the
107 meaning of this section:

108 (a) Any inn, hotel, motel, or other establishment that
109 ~~which~~ provides lodging to transient guests, other than an
110 establishment located within a building that ~~which~~ contains not
111 more than four rooms for rent or hire and that ~~which~~ is actually
112 occupied by the proprietor of such establishment as his or her
113 residence.

114 (b) Any restaurant, cafeteria, lunchroom, lunch counter,
115 soda fountain, or other facility principally engaged in selling
116 food for consumption on the premises, including, but not limited

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117 to, any such facility located on the premises of any retail
118 establishment, or any gasoline station.

119 (c) Any motion picture theater, theater, concert hall,
120 sports arena, stadium, or other place of exhibition or
121 entertainment.

122 (d) Any establishment ~~that which~~ is physically located
123 within the premises of any establishment otherwise covered by
124 this subsection, or within the premises of which is physically
125 located any such covered establishment, and ~~that which~~ holds
126 itself out as serving patrons of such covered establishment.

127 (13) "Sexual orientation" means an individual's actual or
128 perceived heterosexuality, homosexuality, or bisexuality.

129 Section 4. Section 760.05, Florida Statutes, is amended to
130 read:

131 760.05 Functions of the commission.—The commission shall
132 promote and encourage fair treatment and equal opportunity for
133 all persons regardless of race, color, religion, sex, pregnancy,
134 national origin, age, sexual orientation, gender identity or
135 expression, handicap, or marital status and mutual understanding
136 and respect among all members of society. The commission ~~all~~
137 ~~economic, social, racial, religious, and ethnic groups, and~~
138 shall endeavor to eliminate discrimination against, and
139 antagonism between, persons on the basis of, or based on the
140 perception of, race, color, religion, sex, pregnancy, national
141 origin, age, sexual orientation, gender identity or expression,
142 handicap, or marital status ~~religious, racial, and ethnic groups~~
143 ~~and their members.~~

144 Section 5. Section 760.07, Florida Statutes, is amended to
145 read:

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146 760.07 Remedies for unlawful discrimination.—Any violation
147 of any Florida statute making unlawful discrimination because
148 of, or based on the perception of, race, color, religion,
149 gender, pregnancy, national origin, age, sexual orientation,
150 gender identity or expression, handicap, or marital status in
151 the areas of education, employment, housing, or public
152 accommodations gives rise to a cause of action for all relief
153 and damages described in s. 760.11(5), unless greater damages
154 are expressly provided for. If the statute prohibiting unlawful
155 discrimination provides an administrative remedy, the action for
156 equitable relief and damages provided for in this section may be
157 initiated only after the plaintiff has exhausted his or her
158 administrative remedy. The term "public accommodations" does not
159 include lodge halls or other similar facilities of private
160 organizations which are made available for public use
161 occasionally or periodically. The right to trial by jury is
162 preserved in any case in which the plaintiff is seeking actual
163 or punitive damages.

164 Section 6. Section 760.08, Florida Statutes, is amended to
165 read:

166 760.08 Discrimination in places of public accommodation.—
167 All persons are entitled to the full and equal enjoyment of the
168 goods, services, facilities, privileges, advantages, and
169 accommodations of any place of public accommodation without
170 discrimination or segregation on the ground of, or based on the
171 perception of, race, color, national origin, sex, sexual
172 orientation, gender identity or expression, pregnancy, handicap,
173 familial status, or religion.

174 Section 7. Subsections (1) and (2), paragraphs (a) and (b)

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175 of subsection (3), subsections (4), (5), and (6), paragraph (a)
 176 of subsection (8), and subsection (9) of section 760.10, Florida
 177 Statutes, are amended, and subsection (10) of that section is
 178 republished, to read:

179 760.10 Unlawful employment practices.—

180 (1) It is an unlawful employment practice for an employer:

181 (a) To discharge or to fail or refuse to hire any
 182 individual, or otherwise to discriminate against any individual
 183 with respect to compensation, terms, conditions, or privileges
 184 of employment, because of, or based on the perception of, such
 185 individual's race, color, religion, sex, pregnancy, national
 186 origin, age, sexual orientation, gender identity or expression,
 187 handicap, or marital status.

188 (b) To limit, segregate, or classify employees or
 189 applicants for employment in any way that which would deprive or
 190 tend to deprive any individual of employment opportunities, or
 191 adversely affect any individual's status as an employee, because
 192 of, or based on the perception of, such individual's race,
 193 color, religion, sex, pregnancy, national origin, age, sexual
 194 orientation, gender identity or expression, handicap, or marital
 195 status.

196 (2) It is an unlawful employment practice for an employment
 197 agency to fail or refuse to refer for employment, or otherwise
 198 to discriminate against, any individual because of, or based on
 199 the perception of, race, color, religion, sex, pregnancy,
 200 national origin, age, sexual orientation, gender identity or
 201 expression, handicap, or marital status or to classify or refer
 202 for employment any individual on the basis of, or based on the
 203 perception of, race, color, religion, sex, pregnancy, national

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204 origin, age, sexual orientation, gender identity or expression,
 205 handicap, or marital status.

206 (3) It is an unlawful employment practice for a labor
 207 organization:

208 (a) To exclude or to expel from its membership, or
 209 otherwise to discriminate against, any individual because of, or
 210 based on the perception of, race, color, religion, sex,
 211 pregnancy, national origin, age, sexual orientation, gender
 212 identity or expression, handicap, or marital status.

213 (b) To limit, segregate, or classify its membership or
 214 applicants for membership, or to classify or fail or refuse to
 215 refer for employment any individual, in any way that would
 216 deprive or tend to deprive any individual of employment
 217 opportunities, or adversely affect any individual's status as an
 218 employee or as an applicant for employment, because of, or based
 219 on the perception of, such individual's race, color, religion,
 220 sex, pregnancy, national origin, age, sexual orientation, gender
 221 identity or expression, handicap, or marital status.

222 (4) It is an unlawful employment practice for any employer,
 223 labor organization, or joint labor-management committee
 224 controlling apprenticeship or other training or retraining,
 225 including on-the-job training programs, to discriminate against
 226 any individual because of, or based on the perception of, race,
 227 color, religion, sex, pregnancy, national origin, age, sexual
 228 orientation, gender identity or expression, handicap, or marital
 229 status in admission to, or employment in, any program
 230 established to provide apprenticeship or other training.

231 (5) Whenever, in order to engage in a profession,
 232 occupation, or trade, it is required that a person receive a

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233 license, certification, or other credential; ~~7~~ become a member or
 234 an associate of any club, association, or other organization; ~~7~~
 235 or pass any examination, it is an unlawful employment practice
 236 for any person to discriminate against any other person seeking
 237 such license, certification, or other credential; ~~7~~ seeking to
 238 become a member or associate of such club, association, or other
 239 organization; ~~7~~ or seeking to take or pass such examination,
 240 because of, or based on the perception of, such other person's
 241 race, color, religion, sex, pregnancy, national origin, age,
 242 sexual orientation, gender identity or expression, handicap, or
 243 marital status.

244 (6) It is an unlawful employment practice for an employer,
 245 a labor organization, an employment agency, or a joint labor-
 246 management committee to print, or cause to be printed or
 247 published, any notice or advertisement relating to employment,
 248 membership, classification, referral for employment, or
 249 apprenticeship or other training which indicates, ~~indicating~~ any
 250 preference, limitation, specification, or discrimination; ~~7~~ based
 251 on a person's actual or perceived race, color, religion, sex,
 252 pregnancy, national origin, age, sexual orientation, gender
 253 identity or expression, absence of handicap, or marital status.

254 (8) Notwithstanding any other provision of this section, it
 255 is not an unlawful employment practice under ss. 760.01-760.10
 256 for an employer, employment agency, labor organization, or joint
 257 labor-management committee to:

258 (a) Take or fail to take any action on the basis of a
 259 person's actual or perceived religion, sex, pregnancy, national
 260 origin, age, sexual orientation, gender identity or expression,
 261 handicap, or marital status in those certain instances in which

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262 religion, sex, condition of pregnancy, national origin, age,
 263 sexual orientation, gender identity or expression, absence of a
 264 particular handicap, or marital status is a bona fide
 265 occupational qualification reasonably necessary for the
 266 performance of the particular employment to which such action or
 267 inaction is related.

268 (9) (a) This section ~~does~~ ~~shall~~ not apply to any religious
 269 corporation, association, educational institution, or society
 270 which conditions opportunities in the area of employment or
 271 public accommodation to members of that religious corporation,
 272 association, educational institution, or society or to persons
 273 who subscribe to its tenets or beliefs.

274 (b) This section ~~does~~ ~~shall~~ not prohibit a religious
 275 corporation, association, educational institution, or society
 276 from giving preference in employment to individuals of a
 277 particular religion to perform work connected with the carrying
 278 on by such corporations, associations, educational institutions,
 279 or societies of its various activities.

280 (c) This section and s. 760.08 do not limit the free
 281 exercise of religion guaranteed by the United States
 282 Constitution and the State Constitution.

283 (10) Each employer, employment agency, and labor
 284 organization shall post and keep posted in conspicuous places
 285 upon its premises a notice provided by the commission setting
 286 forth such information as the commission deems appropriate to
 287 effectuate the purposes of ss. 760.01-760.10.

288 Section 8. Section 509.092, Florida Statutes, is amended to
 289 read:

290 509.092 Public lodging establishments and public food

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291 service establishments; rights as private enterprises.-

292 (1) Public lodging establishments and public food service
 293 establishments are private enterprises, and the operator has the
 294 right to refuse accommodations or service to any person who is
 295 objectionable or undesirable to the operator, but such refusal
 296 may not be based upon the person's actual or perceived race,
 297 creed, color, sex, pregnancy, physical disability, sexual
 298 orientation, gender identity or expression, or national origin.

299 (2) A person aggrieved by a violation of this section or a
 300 violation of a rule adopted under this section has a right of
 301 action pursuant to s. 760.11.

302 (3) This section does not limit the free exercise of
 303 religion guaranteed by the United States Constitution and the
 304 State Constitution.

305 Section 9. Section 760.22, Florida Statutes, is amended to
 306 read:

307 760.22 Definitions.-As used in this part ~~ss. 760.20-760.37~~,
 308 the term:

309 (1) "Commission" means the Florida Commission on Human
 310 Relations.

311 (2) "Covered multifamily dwelling" means:

312 (a) A building ~~that which~~ consists of four or more units
 313 and has an elevator; or

314 (b) The ground floor units of a building ~~that which~~
 315 consists of four or more units and does not have an elevator.

316 (3) "Discriminatory housing practice" means an act that is
 317 unlawful under the terms of this part ~~ss. 760.20-760.37~~.

318 (4) "Dwelling" means any building or structure, or portion
 319 thereof, which is occupied as, or designed or intended for

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320 occupancy as, a residence by one or more families, and any
 321 vacant land ~~that which~~ is offered for sale or lease for the
 322 construction or location on the land of any such building or
 323 structure, or portion thereof.

324 (5) "Familial status" is established when an individual who
 325 has not attained the age of 18 years is domiciled with:

326 (a) A parent or other person having legal custody of such
 327 individual; or

328 (b) A designee of a parent or other person having legal
 329 custody, with the written permission of such parent or other
 330 person.

331 (6) "Family" includes a single individual.

332 (7) "Gender identity or expression" has the same meaning as
 333 provided in s. 760.02.

334 ~~(8)(7)~~ "Handicap" means:

335 (a) ~~A person has a~~ physical or mental impairment ~~that which~~
 336 substantially limits one or more major life activities for a
 337 person who has, or he or she has a record of having, or is
 338 regarded as having ~~that, such~~ physical or mental impairment; or

339 (b) ~~A person has a~~ developmental disability as defined in
 340 s. 393.063.

341 ~~(9)(8)~~ "Person" includes one or more individuals,
 342 corporations, partnerships, associations, labor organizations,
 343 legal representatives, mutual companies, joint-stock companies,
 344 trusts, unincorporated organizations, trustees, trustees in
 345 bankruptcy, receivers, and fiduciaries.

346 (10) "Sexual orientation" has the same meaning as provided
 347 in s. 760.02.

348 ~~(11)(9)~~ "Substantially equivalent" means an administrative

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349 subdivision of the State of Florida meeting the requirements of
350 24 C.F.R. part 115, s. 115.6.

351 ~~(12)-(10)~~ "To rent" includes to lease, to sublease, to let,
352 and otherwise to grant for a consideration the right to occupy
353 premises not owned by the occupant.

354 Section 10. Subsections (1) - (5) of section 760.23,
355 Florida Statutes, are amended to read:

356 760.23 Discrimination in the sale or rental of housing and
357 other prohibited practices.—

358 (1) It is unlawful to refuse to sell or rent after the
359 making of a bona fide offer, to refuse to negotiate for the sale
360 or rental of, or otherwise to make unavailable or deny a
361 dwelling to any person because of, or based on the perception
362 of, race, color, national origin, sex, sexual orientation,
363 gender identity or expression, handicap, familial status, or
364 religion.

365 (2) It is unlawful to discriminate against any person in
366 the terms, conditions, or privileges of sale or rental of a
367 dwelling, or in the provision of services or facilities in
368 connection therewith, because of, or based on the perception of,
369 race, color, national origin, sex, sexual orientation, gender
370 identity or expression, handicap, familial status, or religion.

371 (3) It is unlawful to make, print, or publish, or cause to
372 be made, printed, or published, any notice, statement, or
373 advertisement with respect to the sale or rental of a dwelling
374 that indicates any preference, limitation, or discrimination
375 based on a person's actual or perceived race, color, national
376 origin, sex, sexual orientation, gender identity or expression,
377 handicap, familial status, or religion or an intention to make

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378 any such preference, limitation, or discrimination.

379 (4) It is unlawful to represent to any person because of,
380 or based on the perception of, the person's race, color,
381 national origin, sex, sexual orientation, gender identity or
382 expression, handicap, familial status, or religion that any
383 dwelling is not available for inspection, sale, or rental when
384 such dwelling is in fact so available.

385 (5) It is unlawful, for profit, to induce or attempt to
386 induce any person to sell or rent any dwelling by a
387 representation regarding the entry or prospective entry into the
388 neighborhood of a person or persons of, or perceived to be of, a
389 particular race, color, national origin, sex, sexual
390 orientation, gender identity or expression, handicap, familial
391 status, or religion.

392 Section 11. Section 760.24, Florida Statutes, is amended to
393 read:

394 760.24 Discrimination in the provision of brokerage
395 services.—It is unlawful to deny any person access to, or
396 membership or participation in, any multiple-listing service,
397 real estate brokers' organization, or other service,
398 organization, or facility relating to the business of selling or
399 renting dwellings, or to discriminate against him or her in the
400 terms or conditions of such access, membership, or
401 participation, because on account of, or based on the perception
402 of, race, color, national origin, sex, sexual orientation,
403 gender identity or expression, handicap, familial status, or
404 religion.

405 Section 12. Subsection (1) and paragraph (a) of subsection
406 (2) of section 760.25, Florida Statutes, are amended to read:

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407 760.25 Discrimination in the financing of housing or in
 408 residential real estate transactions.—
 409 (1) It is unlawful for any bank, building and loan
 410 association, insurance company, or other corporation,
 411 association, firm, or enterprise the business of which consists
 412 in whole or in part of the making of commercial real estate
 413 loans to deny a loan or other financial assistance to a person
 414 applying for the loan for the purpose of purchasing,
 415 constructing, improving, repairing, or maintaining a dwelling,
 416 or to discriminate against him or her in the fixing of the
 417 amount, interest rate, duration, or other term or condition of
 418 such loan or other financial assistance, because of, or based on
 419 the perception of, the race, color, national origin, sex, sexual
 420 orientation, gender identity or expression, handicap, familial
 421 status, or religion of such person or of any person associated
 422 with him or her in connection with such loan or other financial
 423 assistance or the purposes of such loan or other financial
 424 assistance, or because of, or based on the perception of, the
 425 race, color, national origin, sex, sexual orientation, gender
 426 identity or expression, handicap, familial status, or religion
 427 of the present or prospective owners, lessees, tenants, or
 428 occupants of the dwelling or dwellings in relation to which such
 429 loan or other financial assistance is to be made or given.
 430 (2)(a) It is unlawful for any person or entity whose
 431 business includes engaging in residential real estate
 432 transactions to discriminate against any person in making
 433 available such a transaction, or in the terms or conditions of
 434 such a transaction, because of, or based on the perception of,
 435 race, color, national origin, sex, sexual orientation, gender

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436 identity or expression, handicap, familial status, or religion.
 437 Section 13. Section 760.26, Florida Statutes, is amended to
 438 read:
 439 760.26 Prohibited discrimination in land use decisions and
 440 in permitting of development.—It is unlawful to discriminate in
 441 land use decisions or in the permitting of development based on
 442 a person's actual or perceived race, color, national origin,
 443 sex, sexual orientation, gender identity or expression,
 444 disability, familial status, religion, or, except as otherwise
 445 provided by law, the source of financing of a development or
 446 proposed development.
 447 Section 14. Paragraph (a) of subsection (5) of section
 448 760.29, Florida Statutes, is amended to read:
 449 760.29 Exemptions.—
 450 (5) Nothing in ss. 760.20-760.37:
 451 (a) Prohibits a person engaged in the business of
 452 furnishing appraisals of real property from taking into
 453 consideration factors other than race, color, national origin,
 454 sex, sexual orientation, gender identity or expression,
 455 handicap, familial status, or religion.
 456 Section 15. Subsection (1) of section 760.60, Florida
 457 Statutes, is amended to read:
 458 760.60 Discriminatory practices of certain clubs
 459 prohibited; remedies.—
 460 (1) It is unlawful for a person to discriminate against any
 461 individual because of, or based on the perception of, race,
 462 color, religion, gender, national origin, handicap, age above
 463 the age of 21, sexual orientation, gender identity or
 464 expression, or marital status in evaluating an application for

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465 membership in a club that has more than 400 members, that
466 provides regular meal service, and that regularly receives
467 payment for dues, fees, use of space, facilities, services,
468 meals, or beverages directly or indirectly from nonmembers for
469 business purposes. It is unlawful for a person, on behalf of
470 such a club, to publish, circulate, issue, display, post, or
471 mail any advertisement, notice, or solicitation that contains a
472 statement to the effect that the accommodations, advantages,
473 facilities, membership, or privileges of the club are denied to
474 any individual because of, or based on the perception of, race,
475 color, religion, gender, national origin, handicap, age above
476 the age of 21, sexual orientation, gender identity or
477 expression, or marital status. This subsection does not apply to
478 fraternal or benevolent organizations, ethnic clubs, or
479 religious organizations where business activity is not
480 prevalent.

481 Section 16. Paragraph (e) of subsection (1) of section
482 419.001, Florida Statutes, is amended to read:

483 419.001 Site selection of community residential homes.—

484 (1) For the purposes of this section, the term:

485 (e) "Resident" means any of the following: a frail elder as
486 defined in s. 429.65; a person who has a handicap as defined in
487 s. 760.22(8)(a) ~~s. 760.22(7)(a)~~; a person who has a
488 developmental disability as defined in s. 393.063; a
489 nondangerous person who has a mental illness as defined in s.
490 394.455; or a child who is found to be dependent as defined in
491 s. 39.01 or s. 984.03, or a child in need of services as defined
492 in s. 984.03 or s. 985.03.

493 Section 17. This act shall take effect July 1, 2016.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Finance and Tax, *Vice Chair*
Appropriations Subcommittee on Health and Human
Services
Communications, Energy, and Public Utilities
Fiscal Policy
Regulated Industries
Community Affairs

JOINT COMMITTEE:
Joint Legislative Auditing Committee, *Chair*

SENATOR JOSEPH ABRUZZO

Minority Whip
25th District

September 3rd, 2015

The Honorable Miguel Diaz de la Portilla
406 Senate Office Building
404 South Monroe Street
Tallahassee, FL32399

Dear Chairman Diaz de la Portilla:

I respectfully request that Senate Bill 120, Prohibited Discrimination, be considered for placement on the Judiciary Committee agenda. This piece of legislation prohibits discrimination of an employee based on their sexual orientation and gender identity or expression within the workplace.

Thank you in advance for your consideration. Please let me know if I can provide you with any further information moving forward.

Sincerely,

A handwritten signature in black ink, appearing to read "JA".

Joseph Abruzzo

Cc: Tom Cibula, Judiciary Staff Director

REPLY TO:

- 12300 Forest Hill Boulevard, Suite 200, Wellington, Florida 33414-5785 (561) 791-4774 FAX: (888) 284-6495
- 110 Dr. Martin Luther King, Jr. Boulevard, Belle Glade, Florida 33430-3900 (561) 829-1410
- 222 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5025

Senate's Website: www.flsenate.gov

ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore

THE FLORIDA SENATE
APPEARANCE RECORD

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

2-8-16
Meeting Date

SB 0120
Bill Number (if applicable)

Topic SB 0120

Amendment Barcode (if applicable)

Name Jose A. Lario

Job Title _____

Address 704 edenville ave
Street

Phone _____

Clearwater FL 33764
City State Zip

Email _____

Speaking: For Against Information

Waive Speaking: ^{3/4} In Support Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

2/8/16
Meeting Date

SB 120
Bill Number (if applicable)

Topic Florida Competitive Workforce Act

Amendment Barcode (if applicable)

Name Rev. Vince Amlich

Job Title minister, United Church of Gainesville

Address 1105 NE 10th Ave
Street

Phone 352-378-3500

Gainesville FL 32601
City State Zip

Email vincea@ucgainesville.org

Speaking: For Against Information

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

Representing United Church of Gainesville

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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2/8/2016
Meeting Date

Bill Number (if applicable)

Topic SB-0120

Amendment Barcode (if applicable)

Name Jannette M. Rivera

Job Title Cosmetology

Address 8407 Del Rey CT #41

Phone 203-727-1699

Tampa
City

FL
State

33617
Zip

Email Jannettepr5@gmail.com

Speaking: For Against Information

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

Representing Jesus

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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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)

02/08/2016

Meeting Date

SB 120

Bill Number (if applicable)

Topic SB 0120 - NO Discrimination

Amendment Barcode (if applicable)

Name Yleana Davidson

Job Title _____

Address 201 Edine St

Phone 8133819519

Street

Jupiter Springs FL 321689

Email _____

City

State

Zip

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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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)

2/8/2016
Meeting Date

SB-120
Bill Number (if applicable)

Topic ~~West Apportionment of Seats~~ SB120

Amendment Barcode (if applicable)

Name Nyah Vanterpool

Job Title _____

Address 831 May St
Street

Phone _____

Jacksonville FL 32204
City State Zip

Email _____

Speaking: For Against Information

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

Representing One Voice

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.

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THE FLORIDA SENATE

APPEARANCE RECORD

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

09/08/16

Meeting Date

SB 120

Bill Number (if applicable)

Topic SB-120

Amendment Barcode (if applicable)

Name Eileen MARRERO

Job Title PASTOR

Address 811- CAVENDISH WAY

Phone 787-945-9230

Street T. SPRING FL. 34689

Email

Speaking: For Against Information

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

Representing CFC

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2-8-16
Meeting Date

SB 120
Bill Number (if applicable)

Topic SB 120

Amendment Barcode (if applicable)

Name David Johnson

Job Title _____

Address 2301 Plainfield Ave
Street

Phone 904-278-7558

Orange Park FL 32073
City State Zip

Email dj-jj@icloud.com

Speaking: For Against Information

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

Representing Jacksonville Coalition for Equality
UU Justice Florida

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.

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THE FLORIDA SENATE

APPEARANCE RECORD

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

02/08/2016

Meeting Date

SB 120
Bill Number (if applicable)

Topic SB 0120

Amendment Barcode (if applicable)

Name Zonia E. Ponce

Job Title _____

Address 5435 CASINODE

Phone (727) 8736875

Holiday FL 331690
City State Zip

Email _____

Speaking: For Against Information

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

Representing CFC

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/2016
Meeting Date

SB 0120
Bill Number (if applicable)

Topic Competitive Workforce Act

Amendment Barcode (if applicable)

Name Enoch Conway

Job Title _____

Address 11711 N 50th St (Apt 608B)
Street

Phone _____

Tampa Florida 33617
City State Zip

Email nchconway@gmail.com

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

February 8, 2016

Meeting Date

SB 120

Bill Number (if applicable)

Topic Florida Competitive Workforce Act

Amendment Barcode (if applicable)

Name John Faith

Job Title Executive Director, Global Operations & Client Services, DTCC Tampa

Address 18301 Bermuda Green Dr

Phone (813) 470-1810

Street

Tampa

Florida

33647

Email _____

City

State

Zip

Speaking: For Against Information

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

Representing DTCC Tampa

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.

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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)

2-8-15

Meeting Date

Bill Number (if applicable)

Topic 120

Amendment Barcode (if applicable)

Name ~~Past~~ Terry Weems

Job Title Pastor

Address P. O. Box 722

Phone 352 207-6285

Bradford

Email PastorTweems@aol.com

City State Zip

Speaking: For Against Information

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

Representing Terry A. Weems ministers

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.

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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)

February 8, 2016

Meeting Date

SB 120

Bill Number (if applicable)

Topic Florida Competitive Workforce Act

Amendment Barcode (if applicable)

Name Nadine Smith

Job Title CEO/Executive Director, Equality Florida

Address PO Box 13184

Street

St. Petersburg

City

FL

State

33733

Zip

Phone _____

Email _____

Speaking: For Against Information

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

Representing Equality Florida

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/16
Meeting Date

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Benjamin HL Hale

Job Title _____

Address 3738 River International Dr.
Street

Phone _____

Tampa FL 33605
City State Zip

Email bhale2014@gmail.com

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

February 8, 2016

SB 120

Meeting Date

Bill Number (if applicable)

Topic Florida Competitive Workforce Act

Amendment Barcode (if applicable)

Name Patrick Slevin

Job Title Campaign Manager, Florida Businesses for a Competitive Workforce

Address 200 West College Avenue, Suite 210

Phone (850) 391-5040

Street

Tallahassee

Florida

32301

Email P.SL7@patricksslevin.com

City

State

Zip

Speaking: For Against Information

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

Representing Florida Businesses for a Competitive Workforce

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

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

2/8/16

Meeting Date

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Deshauntra Johnson

Job Title _____

Address 10816 Juliann RD.

Street

Phone (202) 520-3441

Tampa

FL

33610

City

State

Zip

Email d.r.johnson2014@gmail.com

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

February 8, 2016

SB 120

Meeting Date

Bill Number (if applicable)

Topic Florida Competitive Workforce Act

Amendment Barcode (if applicable)

Name Bob Swindell

Job Title President/CEO, Greater Fort Lauderdale Alliance

Address 110 E. Broward Blvd, Suite 1990

Phone 954-627-0131

Street

Fort Lauderdale

FL

33301

Email bswindell@gflalliance.org

City

State

Zip

Speaking: For Against Information

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

Representing Greater Fort Lauderdale Alliance

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2/08/16

Meeting Date

SB-0120

Bill Number (if applicable)

Topic No Discrimination

Amendment Barcode (if applicable)

Name Faith Burling

Job Title Pro-life canvasser

Address 812 woodcarver lane
Street

Phone _____

Brandon FL 33510
City State Zip

Email _____

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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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)

February 8, 2016

SB 120

Meeting Date

Bill Number (if applicable)

Topic Florida Competitive Workforce Act

Amendment Barcode (if applicable)

Name Christopher Gassett

Job Title SVP and Assistant General Counsel, HSN, Inc.

Address 1 HSN Drive

Phone (727) 872-1000

Street

St. Petersburg

Florida

33729

Email Chris.Gassett@hsn.net

City

State

Zip

Speaking: For Against Information

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

Representing HSN, Inc.

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/16

Meeting Date

SB-120

Bill Number (if applicable)

Topic NO DISCRIMINATION

Amendment Barcode (if applicable)

Name Thaddus McLaurin

Job Title _____

Address 5313 19th St.
Street

Phone (203) 589-3579

Zephyrhills Florida 55342
City State Zip

Email _____

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

February 8, 2016

SB 120

Meeting Date

Bill Number (if applicable)

Topic Florida Competitive Workforce Act

Amendment Barcode (if applicable)

Name Adam Babington

Job Title Director, Govt & Industry Relations, Walt Disney World

Address PO Box 10,000

Phone 407.828.1360

Street

Lake Buena Vista

FL

32830-1000

Email _____

City

State

Zip

Speaking: For Against Information

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

Representing Walt Disney World

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2-8-2014

Meeting Date

Bill Number (if applicable)

Topic SB 0120

Amendment Barcode (if applicable)

Name Gerald Wilson

Job Title Plumber + Minister

Address 5410 N Falkenburg Rd

Phone 706 897-0477

Street

Tampa
City

FL
State

33616
Zip

Email Gerald.Wilson1449@gmail.com

Speaking: For Against Information

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

Representing River International Ministry

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2/4/14
Meeting Date

SB 0120
Bill Number (if applicable)

Topic SB 0120

Amendment Barcode (if applicable)

Name Rama Tirado

Job Title Pastor

Address 2401 Gt. Lakeside Cir W
Street

Phone 727-259-9609

ST Petersburg FL 33712
City State Zip

Email _____

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

120
Bill Number (if applicable)

Meeting Date

Topic FL Competitive Workforce Act

Amendment Barcode (if applicable)

Name Pam Olsen

Job Title Pastor

Address PO Box 14017

Phone 850-906-9170

Street Tallahassee, FL 32317
City State Zip

Email

Speaking: For Against Information

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

Representing self

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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THE FLORIDA SENATE
APPEARANCE RECORD

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

February 8, 2016

SB 120

Meeting Date

Bill Number (if applicable)

Topic Florida Competitive Workforce Act

Amendment Barcode (if applicable)

Name Juan Carlos Flores

Job Title Regional Vice President of Governmental Affairs, AT&T

Address 150 S. Monroe St., Ste 400

Phone 850.577.5500

Street

Tallahassee

FL

32301

Email _____

City

State

Zip

Speaking: For Against Information

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

Representing AT&T

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/2016

Meeting Date

5b-120

Bill Number (if applicable)

Topic 120

Amendment Barcode (if applicable)

Name JOSUE COLON

Job Title PASTOR / INSURANCE AGENT

Address 12017 CITEUS FALLS CIR APT. 209

Phone 787-594-0351

Street

TAMPA FL 33625

Email PASTOR.JOSUE@GMAIL.COM

City

State

Zip

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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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)

February 8, 2016

Meeting Date

SB 120

Bill Number (if applicable)

Topic Florida Competitive Workforce Act

Amendment Barcode (if applicable)

Name Bethany Linderman

Job Title Government Relations Policy Consultant, Florida Blue

Address 4800 Deerwood Campus Parkway, DC 3-4

Phone 813-822-7624

Street

Jacksonville

Florida

32246

Email Bethany.Linderman@bcbsfl.com

City

State

Zip

Speaking: For Against Information

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

Representing Florida Blue

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.

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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)

2/08/2016
Meeting Date

SB-120
Bill Number (if applicable)

Topic SB-120

Amendment Barcode (if applicable)

Name Armando V. Pomar

Job Title consultant

Address 7710 Abbott Ave
Street

Phone 786-285-4090

M. Beach Fl. 33141
City State Zip

Email armandovpomar@yahoo.com

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

February 8, 2016

Meeting Date

SB 120

Bill Number (if applicable)

Topic Florida Competitive Workforce Act

Amendment Barcode (if applicable)

Name Vani Ungapen

Job Title Director of Global Business and Legislative Research, Florida Realtors

Address 200 S. Monroe St

Street

Tallahassee

City

Florida

State

32301

Zip

Phone (850) 224-1400

Email vaniu@floridarealtors.org

Speaking: For Against Information

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

Representing Florida Realtors

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.

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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)

February 8, 2016

SB 120

Meeting Date

Bill Number (if applicable)

Topic Florida Competitive Workforce Act

Amendment Barcode (if applicable)

Name Martha H. Chumbler

Job Title Attorney, Carlton Fields

Address 215 S. Monroe Street, Suite 500

Phone 850.513.3612

Street

Tallahassee

FL

32301

Email mchumbler@carltonfields.com

City

State

Zip

Speaking: For Against Information

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

Representing Carlton Fields

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.

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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)

2/7/16
Meeting Date

SB 120
Bill Number (if applicable)

Topic Sexual Orientation

Amendment Barcode (if applicable)

Name Rev. Charlene E. Cochran

Job Title Pastor

Address 2323 N. State St. #62
Street
Bunnell, FL 32110
City State Zip

Phone 386-585-5484

Email zionbaptistpc@
yahoo.com

Speaking: For Against Information

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

Representing Christian Family Coalition

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

February 8, 2016

SB 120

Meeting Date

Bill Number (if applicable)

Topic Florida Competitive Workforce Act

Amendment Barcode (if applicable)

Name JC Flores

Job Title VP Gov. Affairs

Address 150 S. Monroe

Phone 850-577-5500

Street

Tallahassee

FL

32301

City

State

Zip

Email JF323w@att.a

Speaking: For Against Information

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

Representing AT&T

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.

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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)

2-8-16

Meeting Date

120

Bill Number (if applicable)

Topic Florida's Competitive Workforce Act

Amendment Barcode (if applicable)

Name Cathy Fruit

Job Title Legislative Liaison

Address 3313 Dartmoor Dr
Street

Phone 850-545-2127

Tallahassee FL 32312
City State Zip

Email cm.fruit@yahoo.com

Speaking: For Against Information

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

Representing Concerned Women for America of Florida

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.

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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)

2/8/16
Meeting Date

SB-120
Bill Number (if applicable)

Topic COMPETITIVE WORKFORCE

Amendment Barcode (if applicable)

Name REV. ABRAHAM RIVERA

Job Title PASTOR

Address 1255 NE 178 ST
Street

Phone 786-704-3412

MIAMI FL 33162
City State Zip

Email abraham.rivera@me.com

Speaking: For Against Information

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

Representing SOUTH FLORIDA HISPANIC MINISTER'S ASSOC.

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2-8-16

Meeting Date

SB-0120

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name SAUNDRA O'NEAL

Job Title RETIRED

Address 1422 MILLERMAN PINES DR # 204
Street

Phone 813 475-2707

City

State

Zip

Email _____

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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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)

2/8/16

Meeting Date

SB 120

Bill Number (if applicable)

Topic Discrimination

Amendment Barcode (if applicable)

Name Rich Templin

Job Title _____

Address 135. S. Monroe

Phone 850 - 224 - 6926

Street

Tallahassee

FL

State

32301

Zip

Email _____

City

Speaking: For Against Information

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

Representing Florida AFL-CIO

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.

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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)

2/8/16

Meeting Date

SB 120

Bill Number (if applicable)

Topic COMPETITIVE WORKFORCE

Amendment Barcode (if applicable)

Name REV. MARILYN RIVERA

Job Title PASTOR

Address 1255 NE 178 ST 1

Phone 305-546-1190

Street

MIAMI

FL

33162

City

State

Zip

Email mar.lynriviera5@

gmail.com

Speaking: For Against Information

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

Representing MISSION MIAMI

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2-8-16

Meeting Date

SB 120

Bill Number (if applicable)

Topic PROHIBITED DISCRIMINATION

Amendment Barcode (if applicable)

Name JIM AKIN

Job Title EXECUTIVE DIRECTOR

Address 1931 BELLWOOD DRIVE
Street

Phone 850-224-2400

TALLAHASSEE FL 32303
City State Zip

Email JIM@NASWFL.ORG

Speaking: For Against Information

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

Representing NATIONAL ASSOCIATION OF SOCIAL WORKERS

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/16

Meeting Date

120

Bill Number (if applicable)

Topic Competitive Workforce

Amendment Barcode (if applicable)

Name Amber Kelly

Job Title _____

Address 3466 High Hampton Cir

Phone (813)850-6569

Street

Tampa

City

FL

State

33610

Zip

Email _____

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

Feb. 8, 2016

Meeting Date

120

Bill Number (if applicable)

Topic Competitive Workforce

Amendment Barcode (if applicable)

Name Bill Bunkley

Job Title President

Address PO Box 341644

Phone (813) 264-2977

Street

Tampa

City

FL

State

33694

Zip

Email _____

Speaking: For Against Information

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

Representing FL Ethics & Religious Liberty

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

2-15-16

Meeting Date

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

120

Bill Number (if applicable)

Topic

120

Amendment Barcode (if applicable)

Name

CHRIS WALKER

Job Title

PASTOR

Address

195 Blackstone Creek

Phone

Street

Groveland

FL

3476

City

State

Zip

Email

CGroWalker@aol.com

Speaking:

For

Against

Information

Waive Speaking:

In Support

Against

(The Chair will read this information into the record.)

Representing

South Lake Pastors 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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/16

Meeting Date

SB-120

Bill Number (if applicable)

Topic ~~SB-120~~

Amendment Barcode (if applicable)

Name DANNIE WILLIAMS

Job Title SENIOR PASTOR

Address 7795 SOUTH ST

Phone _____

Street

LEESBURG

FL

34748

City

State

Zip

Email _____

Speaking: For Against Information

Waive Speaking: ^{N/A} In Support Against
(The Chair will read this information into the record.)

Representing KCF (KINGDOM COVENANT FELLOWSHIP)

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/16
Meeting Date

Bill Number (if applicable)

Topic SB-0120

Amendment Barcode (if applicable)

Name RODRIGUEZ, GILBERTO

Job Title Restor

Address 21021 STATE RD 54

Phone 83.701.8903

Street LUTZ

City FL

State 33558

Zip

Email templekvas@gmail.com

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2-8-16

Meeting Date

SB-0120

Bill Number (if applicable)

Topic SB-0120 competitive workforce act.

Amendment Barcode (if applicable)

Name Alison Carter

Job Title artist

Address 1718 Davin St.

Phone 813-720-6075

Street

Lakeland

City

FL

State

33801

Zip

Email brilliantfervor7@

hotmail.com

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE

APPEARANCE RECORD

02-08-16

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

SB 0120

Meeting Date

Bill Number (if applicable)

Topic SB-0120 COMPETITIVE WORKFORCE

Amendment Barcode (if applicable)

Name Raymond Babier

ACT

Job Title

Address 116 DALMAR LN

Phone 813-720-6075

AUBURNDALE

FL

33823

Email

Speaking: [] For [x] Against [] Information

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

Representing

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

Lobbyist registered with Legislature: [] Yes [] No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

2/8/16

Meeting Date

5B-0120

Bill Number (if applicable)

Topic Competitive Workforce Act

Amendment Barcode (if applicable)

Name Tim Means

Job Title

Address 1290 Batten Rd

Phone 449 480 2478

Street

Brooksville FL

34602

Email means@wildblue.net

City

State

Zip

Speaking: [] For [] Against [] Information

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

Representing

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/14
Meeting Date

SB-0120
Bill Number (if applicable)

Topic Competitive Workforce Act

Amendment Barcode (if applicable)

Name Suzanne Dietrich

Job Title Student

Address 5210 Lloyd St.
Street

Phone (828) 569-7921

Jeffner FL 33584
City State Zip

Email zandietrich@icloud.com

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2-8-16
Meeting Date

SB 0120
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Venus Bull

Job Title _____

Address 1105 Lakewood Park Dr Apt 303
Street

Phone _____

Seffner FL 33584
City State Zip

Email _____

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE

APPEARANCE RECORD

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

2/8/16
Meeting Date

120

Bill Number (if applicable)

Topic SB-120

Amendment Barcode (if applicable)

Name Leah Fuaga

Job Title

Address PO Box 4036
Street
Brandon
City
FL
State
33509
Zip

Phone

Email

Speaking: For Against Information

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

Representing

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

2814

Meeting Date

120

Bill Number (if applicable)

Topic SB 120 (Compwork force Act) Amendment Barcode (if applicable)

Name Julia Reed

Job Title

Address 7708 Southside Lane

Phone 813-403-1187

City Lampa State FL Zip 33619

Email

Speaking: [] For [] Against [] Information

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

Representing

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

FEB 8, 16
Meeting Date

120
Bill Number (if applicable)

Topic SB-120

Amendment Barcode (if applicable)

Name Alicia Allen

Job Title _____

Address P.O. BOX 4036

Phone _____

Brandon FL 35509
City State Zip

Email _____

Speaking: For Against Information

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

Representing HR

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

FEB 8, 14
Meeting Date

120
Bill Number (if applicable)

Topic SB 120

Amendment Barcode (if applicable)

Name CONNIE HAMPTON

Job Title _____

Address 7034 FOREST MEDE DR
Street

Phone _____

BREVARD FL 33578
City State Zip

Email _____

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE

APPEARANCE RECORD

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

2/8/2016
Meeting Date

SB-0120
Bill Number (if applicable)

Topic Comp. Workforce Act

Amendment Barcode (if applicable)

Name Debra Barnes

Job Title _____

Address 5313 19th

Phone 810-887-7213

Zephyrhills FL 33542
City State Zip

Email dbarnes@crossroadonline.org

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/16
Meeting Date

SB 0120
Bill Number (if applicable)

Topic Competitive workforce Act.

Amendment Barcode (if applicable)

Name Desarae Hardaway

Job Title _____

Address P.O. Box 4036
Street

Phone _____

Brandon FL 33509
City State Zip

Email Dezzyphotography@gmail.com

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE

APPEARANCE RECORD

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

2/8/16

Meeting Date

120

Bill Number (if applicable)

Topic Anti-discrimination

Amendment Barcode (if applicable)

Name Ron Watson

Job Title Lobbyist

Address 3738 Murdon Way

Phone 850 567-1202

Street

Tallahassee

FL

32309

City

State

Zip

Email Watson@strategies@comcast.net

Speaking: For Against Information

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

Representing Florida CHAIN

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

2/8/16
Meeting Date

120
Bill Number (if applicable)

Topic Prohibited Discrimination

Amendment Barcode (if applicable)

Name Courtney Grager

Job Title _____

Address _____

Phone _____

Street Havana State FL Zip _____
City

Email _____

Speaking: For Against Information

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

Representing myself

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

7-8-2016

Meeting Date

120

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Cesareo O. Mifueltoarena

Job Title Pastor

Address 3012 W. Crest Ave.

Phone 813-775-5506

Tampa Fl. 33614
City State Zip

Email _____

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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)

02/03/2016
Meeting Date

SB-0120
Bill Number (if applicable)

Topic ~~SB-0120~~ No Discrimination

Amendment Barcode (if applicable)

Name Favio Cardona

Job Title _____

Address 431 E Morgan st

Phone 727 497 7212

Street

Tarpon Springs FL 34689

City

State

Zip

Email _____

Speaking: For Against Information

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

Representing C.F.C.

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.

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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)

2-08-2016
Meeting Date

SB-120
Bill Number (if applicable)

Topic SB 0120 None discrimination

Amendment Barcode (if applicable)

Name Gloria Rivera

Job Title NURSE

Address 401 N. DISSTON A.
Street

Phone (727) 271 0169

Tarpon Springs FL. 34689
City State Zip

Email _____

Speaking: For Against Information

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

Representing CFC (JESUS)

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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THE FLORIDA SENATE

APPEARANCE RECORD

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

2/8/16

Meeting Date

SB-120

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Edgar Gomez

Job Title Pastor

Address 15541 FLORIDA Breeze Coap
Street

Phone 813-701-4379

Wimauma FL 33578
City State Zip

Email edgomezfl@gmail.com

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2-8-16
Meeting Date

Bill Number (if applicable)

Topic SB-0120

Amendment Barcode (if applicable)

Name RICHARD JOLY

Job Title SEMI RETIRED

Address 1015 EAST HENRY

Phone 813 804 0213

Street

TAMPA

City

FLA

State

33604

Zip

Email RJOLY123@GMAIL.COM

Speaking: For Against Information

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

Representing THE RIVER CHURCH GODS WORD HOLY BIBLE

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2-8-16

Meeting Date

120

Bill Number (if applicable)

Topic SB-0120

Amendment Barcode (if applicable)

Name JUSTIN M'GEE

Job Title FULL TIME STUDENT

Address 1423 VINETREE DR
Street

Phone 786-620-9838

BRANDON FL
City State Zip

Email jwayne.mgee@yahoo.com

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE

APPEARANCE RECORD

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

2-8-2016

Meeting Date

SB-120

Bill Number (if applicable)

Topic PROHIBITED DISCRIMINATION

Amendment Barcode (if applicable)

Name MICHAEL S. KING

Job Title

Address 5249 HIGH COLONY

Phone 850-656-7312

Street

TALLAHASSEE FL 32317

Email HIGHCOLONY@GMAIL.COM

City

State

Zip

Speaking: [] For [] Against [] Information

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

Representing

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

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

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

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THE FLORIDA SENATE

APPEARANCE RECORD

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

8 Feb 2016
Meeting Date

120
Bill Number (if applicable)

Topic SB - 0120

Amendment Barcode (if applicable)

Name Janin Santa

Job Title unemployed

Address P.O. Box 341,
Street

Phone 321-219-9174

Seffner, FL 33583
City State Zip

Email juandleswim@gmail.com

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2 1 8 12016

Meeting Date

Topic _____

Bill Number 120
(if applicable)

Name BRIAN PITTS

Amendment Barcode _____
(if applicable)

Job Title TRUSTEE

Address 1119 NEWTON AVNUE SOUTH

Phone 727-897-9291

Street

SAINT PETERSBURG FLORIDA 33705

E-mail JUSTICE2JESUS@YAHOO.COM

City

State

Zip

Speaking: For Against Information

Representing JUSTICE-2-JESUS

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2-8-2016

Meeting Date

120

Bill Number (if applicable)

Topic Competitive Workforce

Amendment Barcode (if applicable)

Name Sean Stanley

Job Title _____

Address 3067 Hawks Landing Dr

Phone (850) 878-0150

Street

Tallahassee

FL

32309

Email _____

City

State

Zip

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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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)

02/08/2016

Meeting/Date

SB120

Bill Number (if applicable)

Topic NON - DISCRIMINATION PROTECTION

Amendment Barcode (if applicable)

Name SAMIRA OBEID

Job Title NEW MEDIA MANAGER

Address 927 EAST 11TH AVE.

Phone 313-212-5788

Street

TAMPA

State FL

33605

Zip

Email sam@eqfl.org

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

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

Representing EQUALITY FLORIDA

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.

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THE FLORIDA SENATE

APPEARANCE RECORD

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

2/8/16

Meeting Date

120

Bill Number (if applicable)

906078

Amendment Barcode (if applicable)

Topic Workforce Act

Name Jason King

Job Title Legislative Affairs Mgr.

Address 700 SE 3rd Ave

Street

Phone 954-610-3064

Fort Lauderdale

FL

33316

City

State

Zip

Email jason.king@

aidshealth

Speaking: For Against Information

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

Representing AIDS Healthcare Foundation

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

2/8/16

Meeting Date

120

Bill Number (if applicable)

744324

Amendment Barcode (if applicable)

Topic Competitive Workforce Act

Name Guttenberg Pierre Jr

Job Title Consultant

Address 4405 Lurline Circle

Street

Phone 813-952-6029

Tampa
City

FL
State

33610
Zip

Email spawlpierre@gmail.com
~~guttenberg.pierre@delshrock.com~~

Speaking: For Against Information

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

Representing Positively U, Inc.

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.

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THE FLORIDA SENATE

APPEARANCE RECORD

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

2/8/16

Meeting Date

120

Bill Number (if applicable)

Topic FL Competitive Workforce Act

Amendment Barcode (if applicable)

Name Hae Min Yang

Job Title

Address 600 Plantation Rd.

Phone 850-386-5196

Street

Tallahassee FL 32303

City

State

Zip

Email mindan600@yahoo.com

Speaking: For Against Information

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

Representing Myself

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

11/8/2016

Meeting Date

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

SB 120

Bill Number (if applicable)

Topic FLORIDA COMPETITIVE WORKFORCE ACT

Amendment Barcode (if applicable)

Name MICHAEL S. HELLER

Job Title CONSULTANT

Address 6515 MANOWAR TRAIL

Phone 850-212-7940

Street

TALLAHASSEE

FL

32309

City

State

Zip

Email HELLERMSH@GMAIL.COM

Speaking: For Against Information

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

Representing MY FAMILY AND GRAND DAUGHTERS

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/10
Meeting Date

SB-0120
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Denisse M.

Job Title Canvasser

Address 1400 plantation circle
Street

Phone 113-444-8679

Plant City FL 3350
City State Zip

Email _____

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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)

2-8-16

Meeting Date

SB 0120

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Jose Fred Alas

Job Title Hog Auburn St

Address 1109 Auburn St

Phone _____

Street

Clearwater FL 33756

City

State

Zip

Email _____

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

8 Feb 15

Meeting Date

SB0120

Bill Number (if applicable)

Topic Competitive Workforce Act

Amendment Barcode (if applicable)

Name Yvette Jones

Job Title Realtor

Address 4402 Claymore Dr #101

Phone 808 218 8281

Street

Tampa FL 33610

City

State

Zip

Email msyjones1973@gmail.com

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/2016

Meeting Date

S
SB 120

Bill Number (if applicable)

SB

Amendment Barcode (if applicable)

Topic WORKERS Compensation

Name JAN Johnson

Job Title Retired/Corp

Address 1108 45th ~~th~~ AVE Dr E

Phone 917-631-1780

Ellenton Florida

Email _____

City State Zip

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

8/2/16

Meeting Date

SB0120

Bill Number (if applicable)

Topic Competitive Workforce Act

Amendment Barcode (if applicable)

Name Samuel Jones

Job Title Student

Address 4402 Claymore

Phone 808 218 8281

Street

Tampa

FL

State

33610

Zip

Email msy.jones1993@gmail.com

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

SB 0120
Bill Number (if applicable)

Meeting Date _____

Amendment Barcode (if applicable) _____

Topic SB-0120

Name Romeo Santos Lopez

Job Title Forever Memories INC-

Address 2679 cypress bend dr
clearwater fl 33761
Street City State Zip

Phone 727 255-9122

Email _____

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

02-08-2011

Meeting Date

120

Bill Number (if applicable)

Topic SB 0120

Amendment Barcode (if applicable)

Name Giselda Baxcajew

Job Title Student

Address 1449 Temple St

Phone 727 698 4060

Street

Clearwater

City

FL

State

33756

Zip

Email _____

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

Meeting Date _____

Bill Number (if applicable) _____

Topic SR-124

Amendment Barcode (if applicable) _____

Name Leticia Perez

Job Title _____

Address 1366 Lakeview Rd
Street

Phone _____

CLW
City

FL
State

33756
Zip

Email _____

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

Meeting Date _____

Bill Number (if applicable) _____

Topic SB-0120

Amendment Barcode (if applicable) _____

Name Cristina maye

Job Title _____

Address 1421 flagler Dr clearwater

Phone 727 303 8639

Street

City

FL

State

33755

Zip

Email _____

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2/18/14

Meeting Date

120

Bill Number (if applicable)

Topic Disc.

Amendment Barcode (if applicable)

Name Greg Pound

Job Title _____

Address 9166 Sunrise

Phone _____

Street

Largo Fla.

Email _____

City

State

33773

Zip

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

SB-120
Bill Number (if applicable)

Meeting Date _____

Amendment Barcode (if applicable) _____

Topic _____

Name MOISES SECUNDINO-TREJO

Job Title PASTOR

Address 1366 La Kevview Dr.

Phone 727-447-6069

Street

City

Clearwater

State

Fl.

Zip

33756

Email cces94@hotmail.com

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2-8-16
Meeting Date

120
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name SARA GOMEZ

Job Title OWN BISSNESS.

Address 1367 TUSCOLA ST.

Phone 727 226 4000

Street
Clearwater FL 33756
City State Zip

Email _____

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/16

Meeting Date

SB 120

Bill Number (if applicable)

Topic BILL SB-120/NO DISCRIMINATION

Amendment Barcode (if applicable)

Name Rev. Victor M. Ramos

Job Title Senior Pastor - Las Pisadras del Maestro AG

Address 3400 74th Ave North

Phone (727) 687-7034

Street

Vine/HAS Park

State

FL

Zip

33781

Email Pastor@LPMiglesia.org

Speaking: For Against Information

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

Representing CFL

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

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

2/8/16

Meeting Date

120

Bill Number (if applicable)

Topic Prohibited Discrimination

Amendment Barcode (if applicable)

Name Victoria Galvan

Job Title

Address 628 Altamonte Springs Lake

Phone 407 949 1334

Street Altamonte Springs FL 32714

Email victoria.m.galvan@gmail.com

Speaking: For Against Information

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

Representing

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

2/8/16

Meeting Date

120

Bill Number (if applicable)

Topic Florida Competitive Workforce Act

Amendment Barcode (if applicable)

Name Linda Mashburn

Job Title Writer/Editor - self employed

Address 3062 FERMANAGH DR. 32308

Phone

Street

Tallahassee FL 32308

City

State

Zip

Email linmas74@gmail.com

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

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

Representing [Redacted]

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

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

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.

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THE FLORIDA SENATE

APPEARANCE RECORD

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

2/8/14
Meeting Date

120
Bill Number (if applicable)

Competitive
Topic Florida ~~Competitive~~ Work Force Act Amendment Barcode (if applicable)

Name Amy Wells

Job Title Pastor

Address 848 Dent Street
Tallahassee, FL 32304
City State Zip

Phone (850) 567-7884

Email rvw-tallahassee@gmail.com

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2-8-16

Meeting Date

120

Bill Number (if applicable)

Topic ~~REI~~ Florida Competitive Work Force Act

Amendment Barcode (if applicable)

Name Katie Wells

Job Title Student

Address ~~3062~~ 3062 Fermanagh Dr. 32308

Phone (850) 567-7886

Street

Tallahassee

City

FL

State

32308

Zip

Email Kwells704@gmail.com

Speaking: For Against Information

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

Representing ~~Freedom of Speech and Protection of Women~~

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.

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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)

2/8/2016

Meeting Date

120

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Matthew "Moses" Alexandre

Job Title Student

Address 13929 Walden Sheffield rd

Phone _____

Street

Dover

FL

City

State

Zip

Email _____

Speaking: For Against Information

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

Representing Common Sense

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2-8-16
Meeting Date

SB120
Bill Number (if applicable)

Topic SEXUAL ORIENTATION

Amendment Barcode (if applicable)

Name GERALD BUSTIN

Job Title PASTOR

Address 5200 SE 145th St.

Phone 352-245-2560

Street

SUMMERFIELD

City

FL

State

34491

Zip

Email gtbii@prodigy.net

Speaking: For Against Information

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

Representing Open Door Community Church

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.

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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)

02-08-16

Meeting Date

Bill Number (if applicable)

Topic SB-0120

Amendment Barcode (if applicable)

Name Adarely Lepetate

Job Title Forever Memories Inc.

Address 2679 Cypress bend dr

Phone 727-644-8246

Street

Clearwater FL 33761

City

State

Zip

Email _____

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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THE FLORIDA SENATE

APPEARANCE RECORD

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

2/8/16

Meeting Date

120

Bill Number (if applicable)

Topic Prohibited Discrimination

Amendment Barcode (if applicable)

Name Hannah Willard

Job Title _____

Address 630 Hillcrest St #10

Phone 407 451 5460

Street

Orlando, FL 32803

Email hannah@egfl.org

City

State

Zip

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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THE FLORIDA SENATE
APPEARANCE RECORD

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

Meeting Date _____

Bill Number (if applicable) _____

Topic SB-120

Amendment Barcode (if applicable) _____

Name Lizbeth Proquintus

Job Title Evangelismo

Address 1366 Lakeview Rd

Phone _____

Street

Clw
City

FL
State

33752
Zip

Email _____

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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THE FLORIDA SENATE
APPEARANCE RECORD

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

Meeting Date _____

Bill Number (if applicable) _____

Topic _____

Amendment Barcode (if applicable) _____

Name Esther Benitez

Job Title _____

Address 215 S Highland Ave
Street
Clearwater Fl. 33755
City State Zip

Phone 727-365-1867

Email _____

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

Feb 8, 2016

Meeting Date

SB120

Bill Number (if applicable)

Topic Sexual Orientation

Amendment Barcode (if applicable)

Name Roana Justin

Job Title Calling pastor Open Door Community Church

Address 5200 SE 145th St

Phone 352-245-2560

Street

Sumnerfield, FL 34491

Email gthii@prodigy.net

City

State

Zip

Speaking: For Against Information

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

Representing Open Door Community Church

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.

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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)

8/2/16
Meeting Date

SB 0120
Bill Number (if applicable)

Topic Competitive Workforce Act

Amendment Barcode (if applicable)

Name Lavette Jones

Job Title Student

Address 4402 Claymore #101
Street
Tampa FL 33610
City State Zip

Phone 808 218 8281

Email msyjones1973@gmail

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/16

Meeting Date

120

Bill Number (if applicable)

131762

Amendment Barcode (if applicable)

Topic Prohibited Discrimination

Name Leticia M. Adams

Job Title Manager, Gov't Relations

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 Walt Disney World

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

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

2/8/16

Meeting Date

120

Bill Number (if applicable)

Topic STARGEL AMENDMENT

STARGEL AMEND

Amendment Barcode (if applicable)

Name CARLOS GUILLERMO SMITH

Job Title GOVERNMENT AFFAIRS MANAGER

Address 2237 STONINGTON AVE

Phone

Street

ORLANDO FL

32817

Email Carlos@egfl.org

City

State

Zip

Speaking: For Against Information

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

Representing EQUALITY FLORIDA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

7 Amendments

2/8/16
Meeting Date

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

SB 120
Bill Number (if applicable)

Topic Comp. Workforce Act

Amendment Barcode (if applicable)

Name Gina Duncan

Job Title Transgender Inclusion Dir

Address 1326 Easton Ave
Street

Phone 407-222-2869

Orlando FL 32804
City State Zip

Email gina@egfl.org

Speaking: For Against Information

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

Representing Equality Florida

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.

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THE FLORIDA SENATE

APPEARANCE RECORD

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

2/8/16
Meeting Date

120
Bill Number (if applicable)

Topic Prohibited Discrimination

Amendment Barcode (if applicable)

Name John Stemberger

Job Title President & General Counsel

Address 4853 S Orange Ave

Phone 407-418-0250

Orlando FL 32806
City State Zip

Email _____

Speaking: For Against Information

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

Representing Florida Family Action, legislative arm of the Florida Family Policy Council

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

A Amendment

APPEARANCE RECORD

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

2/8/16

Meeting Date

SB 120

Bill Number (if applicable)

906078/744324
Amendment Barcode (if applicable)

Topic Florida Competitive Workforce Act

Name Michael Rajner

Job Title _____

Address PO Box 2133

Phone 954-899-0877

Street

Lauderdale, FL

State

33303

Zip

Email merajner@gmail.com

Speaking: For Against Information

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

Representing self

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

2/8/16

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

120

Meeting Date

Bill Number (if applicable)

Topic Prohibited Discriminations

Amendment Barcode (if applicable)

Name Caleb Dalton

Job Title Legal Counsel

Address 440 First Street NW

Phone 480-444-0020

Street

Washington

DC

20001

City

State

Zip

Email Cdalton@cdflegal.org

Speaking: For ~~Against~~ Information

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

Representing Alliance Defending Freedom

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.

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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)

2/8/16

Meeting Date

SB 120

Bill Number (if applicable)

Topic Prohibited Discrimination

Amendment Barcode (if applicable)

Name Linzee Ott

Job Title Government Affairs Consultant

Address 200 W. College Ave, Suite 310

Phone 904-314-5450

Tallahassee

FL

32301

Email loth@thefloridainternogroup.com

City

State

Zip

Speaking: For Against Information

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

Representing CSX

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

Feb 8, 2016 (Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)
Meeting Date

S 120
Bill Number (if applicable)

Topic Prohibit Discrimination / Workforce Act

Amendment Barcode (if applicable)

Name Sally Heyman

Job Title Commissioner

Address 111 NW 1 ST
Street

Phone 305-375-5128

Miami State Zip

Email heyman@miamidade.gov

Speaking: For Against Information

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

Representing Miami-Dade Co.

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

February 8, 2016

SB 120

Meeting Date

Bill Number (if applicable)

Topic Florida Competitive Workforce Act

Amendment Barcode (if applicable)

Name John Tonnison

Job Title Executive VP and CIO, Tech Data Corporation

Address 5350 Tech Data Drive

Phone (727) 539-7429

Street

Clearwater

Florida

33760

Email John.Tonnison@techdata.com

City

State

Zip

Speaking: For Against Information

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

Representing Tech Data Corporation

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/16

Meeting Date

120

Bill Number (if applicable)

Topic Sexual Orientation

Amendment Barcode (if applicable)

Name Anthony Verdugo

Job Title _____

Address 6850 Coral Way

Phone 786 447-6431

Street

Miami

City

Florida

State

33155

Zip

Email _____

Speaking: For Against Information

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

Representing Myself

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/16

Meeting Date

SB 120

Bill Number (if applicable)

Topic Prohibited Discrimination

Amendment Barcode (if applicable)

Name Edgar Castro

Job Title Lobbyist

Address 123 S Adams
Street

Phone 305-421-6304

Tallahassee FL
City State Zip

Email castro@505strategy.com

Speaking: For Against Information

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

Representing City of Miami Beach

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/16

Meeting Date

120

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name MICHAEL SHEEDY

Job Title EXEC. DIRECTOR

Address 201 W. PARK AVE.

Phone 850-222-3803

Street

TALLAHASSEE FL 32301

Email _____

City

State

Zip

Speaking: For Against Information

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

Representing FL CONFERENCE OF CATHOLIC BISHOPS

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/2016
Meeting Date

SB 120
Bill Number (if applicable)

Topic Discrimination

Amendment Barcode (if applicable)

Name Howard Proctor

Job Title Pastor

Address 3415 9th St East
Street

Phone _____

Bradenton FL 34208
City State Zip

Email Getit

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2-08-16

Meeting Date

SB 120

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Natasha Oquendo

Job Title _____

Address 318 Cardiff Court

Phone 850-257-6560

Street

Panama City FL 32404

City

State

Zip

Email _____

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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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)

February 8, 2016

SB 120

Meeting Date

Bill Number (if applicable)

Topic Florida Competitive Workforce Act

Amendment Barcode (if applicable)

Name Richard Turner

Job Title General Counsel, Florida Restaurant and Lodging Association

Address 230 S. Adams St

Phone 850-224-2250

Street

Tallahassee

FL

32301

Email _____

City

State

Zip

Speaking: For Against Information

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

Representing The Florida Restaurant and Lodging 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.

THE FLORIDA SENATE

APPEARANCE RECORD

Feb. 8, 2016
Meeting Date

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

120
Bill Number (if applicable)

Topic Stargel amendment

Stargel amend
Amendment Barcode (if applicable)

Name Christopher Gassett

Job Title Senior Vice President & Assistant General Counsel

Address HSN, Inc.

Phone 727-872-7787

Street 1 HSN Drive
City St. Petersburg State FL Zip 33729

Email Chris.Gassett@hsn.net

Speaking: For Against Information

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

Representing HSN, Inc.

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.

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THE FLORIDA SENATE

APPEARANCE RECORD

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

2/8/2016
Meeting Date

SB 120
Bill Number (if applicable)

Topic Florida Competitive Workforce Act Amendment Barcode (if applicable)

Name Jean-DAVID PARLIER

Job Title Owner - Small Business

Address 4934 78th St. E

Phone 941-718-3972

Bradenton, FL 34203
City State Zip

Email jeandavidparlier@gmail.com

Speaking: For Against Information

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

Representing Myself - small business

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/2014
Meeting Date

SB-120
Bill Number (if applicable)

Topic SB 120

Amendment Barcode (if applicable)

Name Veronica A. Wilson

Job Title Sr. Business Analyst

Address 2940 Dellwood Ave
Street

Phone 904-382-1935

Jacksonville FL 32205
City State Zip

Email _____

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2/10/16
Meeting Date

120
Bill Number (if applicable)

Topic Competitive Workforce Act

906078
Amendment Barcode (if applicable)

Name JANET KITCHEN

Job Title _____

Address 814 Old Bridge Cir Phone _____
Street

DAVENPORT FL 33897 Email janet.kitchen@
City State Zip ~~positivelyllc.org~~
positivelyllc

Speaking: For Against Information

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

Representing Positively llc, INC

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2-8-16

Meeting Date

120

Bill Number (if applicable)

Topic SB-120 Florida Competitive Workforce Act

Amendment Barcode (if applicable)

Name Amber Paolomilio

Job Title _____

Address 13703 Richmond Park Dr. N #1803
Street

Phone 407-361-5132

City _____

State _____

Zip _____

Email apaolomilio@gmail.com

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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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)

2/8/2016

Meeting Date

SB 120

Bill Number (if applicable)

Topic Prohibited Discrimination

Amendment Barcode (if applicable)

Name Eddy Labrada

Job Title Director, Intergovernmental Affairs

Address 115 S. Andrews Avenue, Rm. 426

Phone 954-826-1155

Street Fort Lauderdale FL 33301

Email elabrada@broward.org

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

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

Representing Broward County

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

Lobbyist registered with Legislature: [X] 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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

4/8/16
Meeting Date

Bill Number (if applicable)

Topic SB 120 Competitive Work Force Act

Amendment Barcode (if applicable)

Name Theresa Phillips

Job Title Business Owner

Address 803 E Jean St

Phone 813 708 2229

Street

Tampa

City

FL

State

3304

Zip

Email theresinphillips@gmail.com

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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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)

2/8/14

Meeting Date

SB120

Bill Number (if applicable)

Topic FL COMPETITIVE Workforce ACT

Amendment Barcode (if applicable)

Name DENISE BROGAN-KATOR

Job Title STATE POLICY DIRECTOR

Address 11209 KELLEHER CT-

Phone (727) 001-2592

Street

New Port Richey FL

34654

Email DENISEBK@FamilyEquality.org

City

State

Zip

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

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

Representing FAMILY EQUALITY COUNCIL

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

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

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

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2-8-16

Meeting Date

Bill Number (if applicable)

Topic SB-0120

Amendment Barcode (if applicable)

Name Pastor Dr. Armando Reyes

Job Title Pastor & Clinical Counselor

Address 2901 Dartmouth ave N

Phone 727-327

Street: St Petersburg State FL Zip 33713
City

Email armando_reyes@yahoo.com

Speaking: For Against Information

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

Representing Piellas County Hispanic Pastors Assoc.

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.

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THE FLORIDA SENATE

APPEARANCE RECORD

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

2/8/2016
Meeting Date

SB-0120
Bill Number (if applicable)

Topic Florida Competitive Workforce Act

Amendment Barcode (if applicable)

Name Brian Lockwood

Job Title Retired Attorney

Address _____
Street

Phone 850-509-0954

City _____ State _____ Zip _____

Email _____

Speaking: For Against Information

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

Representing Self

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/2016
Meeting Date

SB 120
Bill Number (if applicable)

Topic Bill SB 120 - No Discrimination

Amendment Barcode (if applicable)

Name Evelyn Z. Ramos

Job Title Pastor

Address 7081 43rd Street North

Phone (727) 687-0757

Street

Pineellas Park

City

FL

State

33781

Zip

Email ezpramos@hotmail.com

Speaking: For Against Information

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

Representing CFC

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.

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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)

1/8/2016
Meeting Date

SB 120
Bill Number (if applicable)

Topic FLORIDA'S COMPETITIVE WORKFORCE ACT Amendment Barcode (if applicable)

Name ANN MITCHELL

Job Title SALT & LIGHT COUNCIL

Address _____
Street

Phone 850-321-2877

City _____ State _____ Zip _____

Email annramsey@mitche1@gmail

Speaking: For Against Information

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

Representing SALT & LIGHT COUNCIL WILLOWOOD CHURCH

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

2-8-16
Meeting Date

Bill Number (if applicable)

Topic 120

Amendment Barcode (if applicable)

Name Margarita B Jimenez

Job Title Pastor's wife

Address 743 N. 30th St
Street

Phone 863-513-2424

Haines City, FL 33824
City State Zip

Email _____

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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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)

SB 120

Bill Number (if applicable)

Meeting Date

Topic SB 120 No Discrimination

Amendment Barcode (if applicable)

Name Susan Migueltorena

Job Title Teacher / Business Owner

Address 3019 Crest Ave

Phone 813 850-5852

Street

Tampa FL

City

33614

State

Zip

Email smigueltorena@yahoo.com

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

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

Representing CFC

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

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

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

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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)

2/3/16
Meeting Date

SB120
Bill Number (if applicable)

Topic Competitive Work Force Act SB120

Amendment Barcode (if applicable)

Name Laura Forster

Job Title Women's Ministry leader / Home maker / past VP of TRWCF

Address 8077 Archer Circle

Phone 850 894-0582

TALL FL 32309
City State Zip

Email the-foster-four@aol.com

Speaking: For Against Information

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

Representing Myself

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.

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THE FLORIDA SENATE

APPEARANCE RECORD

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

2-8-16

Meeting Date

Bill Number (if applicable)

Topic 120

Amendment Barcode (if applicable)

Name Edgar O Jimenez

Job Title Pastor

Address 723 N. 30th St

Phone 863-521-3454

City Haines City FL 33824

Email jimenez7@verizon.net

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

8 FEB 2016

Meeting Date

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

SB 120

Bill Number (if applicable)

Topic FLORIDA COMPETITIVE WORKFORCE ACT

Amendment Barcode (if applicable)

Name BILL SNYDER

Job Title UNEMPLOYED

Address BOX 15321
Street

Phone _____

TALLAHASSEE FL 32317
City State Zip

Email _____

Speaking: For Against Information

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

Representing MYSELF

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.

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THE FLORIDA SENATE

APPEARANCE RECORD

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

2/8/16
Meeting Date

SB 120
Bill Number (if applicable)

Topic SB 120 Competitive Workforce Act

Amendment Barcode (if applicable)

Name Barry Webster

Job Title

Address 350 Milestone Drive

Phone 850-591-9877

Tallahassee FL 32312
City State Zip

Email BarryJWebster@aol.com

Speaking: For Against Information

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

Representing Celebration Baptist Church in Tallahassee, FL

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.

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THE FLORIDA SENATE

APPEARANCE RECORD

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

2-8-16

Meeting Date

120

Bill Number (if applicable)

Topic Discrimination

Amendment Barcode (if applicable)

Name Barbara Delane

Job Title Ms

Address 625 E. Broadway St

Phone

Street

City

Jacksonville

State

FL

Zip

32308

Email

Speaking: For Against Information

Waive Speaking: In Support Against

(The Chair will read this information into the record.)

Representing FL NOW

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

02/08/2016
Meeting Date

SB-120
Bill Number (if applicable)

Topic NON-DISCRIMINATION

Amendment Barcode (if applicable)

Name Rosalio Malave-Marrero

Job Title Pastor's wife

Address 811 Cavemill
Street

Phone 727-967-0835

TS, FL 34689
City State Zip

Email _____

Speaking: For Against Information

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

Representing CFC

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.

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THE FLORIDA SENATE

APPEARANCE RECORD

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

2/8/16

Meeting Date

120

Bill Number (if applicable)

Topic Prohibited Discrimination

Amendment Barcode (if applicable)

Name Gabriel Garcia Vera

Job Title _____

Address 8330 Biscayne Blvd

Phone 786.664.8310

Street

Miami FL 33138

City

State

Zip

Email gaby@latina.institute.org

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

2. 8 2014
Meeting Date

SB 120
Bill Number (if applicable)

Topic SB 120 Competitive Workforce

Amendment Barcode (if applicable)

Name Tiffanie Webster

Job Title _____

Address 350 Milestone Dr
Street

Phone 850-591-9878

City _____ State _____ Zip _____

Email TiffanieWebster@aol.com

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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.

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THE FLORIDA SENATE

APPEARANCE RECORD

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

2/8/16

Meeting Date

120

Bill Number (if applicable)

Topic Competitive Workforce Act

Amendment Barcode (if applicable)

Name Jason King

Job Title Legislative Affairs Mgr.

Address 700 SE 3rd Ave #400

Phone 954-610-3064

Street

Lauderdale

City

FL

State

33311

Zip

Email jason.king@aidshelth.org

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

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

Representing ALOS Healthcare Foundation

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

Lobbyist registered with Legislature: [X] 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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

Meeting Date _____

120
Bill Number (if applicable)

Topic FL Competitive Workforce Act

Amendment Barcode (if applicable)

Name Terry Dudley

Job Title —

Address 6988 Grenville Rd
Street

Phone 880-545-1221

Tall. FL 32309
City State Zip

Email trcdwd@embargo.com

Speaking: For Against Information

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

Representing myself

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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



THE FLORIDA SENATE
SPECIAL MASTER ON CLAIM BILLS

Location
302 Capitol

Mailing Address
404 South Monroe Street
Tallahassee, Florida 32399-1100
(850) 487-5237

DATE	COMM	ACTION
12/17/15	SM	Favorable
01/22/16	JU	Favorable
	AED	
	AP	

December 17, 2015

The Honorable Andy Gardiner
President, The Florida Senate
Suite 409, The Capitol
Tallahassee, Florida 32399-1100

Re: **SB 50** – Senator Flores
HB 3537 – Representative Jose Felix Diaz
Relief of Altavious Carter by the Palm Beach County School Board

SPECIAL MASTER'S FINAL REPORT

THIS IS A CONTESTED CLAIM FOR \$944,034.30 BASED ON A JURY AWARD FOR ALTAVIOUS CARTER (CLAIMANT) AGAINST THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA, TO COMPENSATE CLAIMANT FOR DAMAGES HE SUSTAINED WHEN A SCHOOL BUS CRASHED INTO THE REAR END OF A VAN IN WHICH HE WAS A PASSENGER.

CURRENT STATUS:

On February 3, 2011, an administrative law judge from the Division of Administrative Hearings, serving as a Senate special master, held a de novo hearing on a previous version of this bill, SB 26 (2012). After the hearing, the judge issued a report containing findings of fact and conclusions of law and recommended that the bill be reported favorably with an amendment. That report is attached as an addendum to this report.

Due to the passage of time since the hearing, the Senate President reassigned the claim to me, Jason Hand. My responsibilities were to review the records relating to the claim bill, be available for questions from the members, and determine whether any changes have occurred since the

hearing, which if known at the hearing, might have significantly altered the findings or recommendation in the previous report.

According to counsel for the parties, there have been no substantial changes in the facts and circumstances for the underlying claim. Accordingly, I find no cause to alter the findings and recommendations of the original report, including the recommendation in the “Other Issues” section of the original report, which recommended that the claim bill be amended to add the August 4, 2010, Final Cost Judgment costs of \$50,394.52 (in response to Plaintiff’s Motion to Tax Costs). This addition would raise the total amount of the claim bill from \$994,034.30 to \$1,044,428.82. However, given that this recommendation has not been included in the claim bills for this issue (such bills are identified below), I recommend SB 50 favorably.

Additionally, the prior claim bills, SB 26 (2012)(died in Special Master on Claims Bills), SB 30 (2013)(died in Judiciary Committee), SB 38 (2014)(withdrawn), and SB 72 (2015)(died in Appropriations Committee) are effectively identical to claim bill filed for the 2016 Legislative Session.

Respectfully submitted,

Jason Hand
Senate Special Master

cc: Debbie Brown, Secretary of the Senate



THE FLORIDA SENATE
SPECIAL MASTER ON CLAIM BILLS

Location
402 Senate Office Building

Mailing Address
404 South Monroe Street
Tallahassee, Florida 32399-1100
(850) 487-5237

DATE	COMM	ACTION
12/02/11	SM	Fav/1 amendment

December 2, 2011

The Honorable Mike Haridopolos
President, The Florida Senate
Suite 409, The Capitol
Tallahassee, Florida 32399-1100

Re: **SB 26 (2012)** – Senator Ellyn Setnor Bogdanoff
Relief of Altavious Carter

SPECIAL MASTER'S FINAL REPORT

THIS IS A CONTESTED CLAIM FOR \$944,034.30 BASED ON A JURY AWARD FOR ALTAVIOUS CARTER (CLAIMANT) AGAINST THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA, TO COMPENSATE CLAIMANT FOR DAMAGES HE SUSTAINED WHEN A SCHOOL BUS CRASHED INTO THE REAR END OF A VAN IN WHICH HE WAS A PASSENGER.

FINDINGS OF FACT:

Following a four-day trial in the Palm Beach County Circuit Court a jury found that Claimant had sustained a permanent injury in an accident that occurred December 15, 2005, and awarded him the following damages with the amount of the award in parentheses: past medical expenses (\$96,475.64); future medical expenses (\$175,892.00); past pain and suffering (\$478,333.33); and future pain and suffering (\$343,333.33). The award of damages totaled \$1,094,034.30. The verdict was dated February 12, 2010.

On February 25, 2010, Judge Thomas H. Barkdull entered final judgment for Claimant as follows: "Pursuant to the Jury Verdict rendered in this action, IT IS ADJUDGED: That [Claimant] recover from [the School Board] the sum of [\$1,094,034.30] that shall bear interest annually at the

statutory rate and for which let execution issue for the first One Hundred Thousand Dollars (\$100,000.00) of this judgment and that portion of the judgment that exceeds [\$100,000] may be reported to the legislature, but may not be paid in part or in whole except by further act of the legislature further [sic] to 768.28."

The court retained jurisdiction to determine taxable costs as well as to determine set offs, if any. On August 4, 2010, Judge Barkdull entered a "Final Cost Judgment" in the amount of \$50,394.52 with interest at the statutory rate with the following provision: "but for which execution shall not issue, but this judgment may be reported to the legislature, but may not be paid in part or in whole except by further act of the legislature pursuant to 768.28."

On April 14, 2010, the School Board paid to Claimant the sum of \$100,000.00 in partial satisfaction of the Final Judgment.

At the trial and in this claims proceeding, the School Board stipulated that it is liable for Claimant's damages.

In this claims proceeding, the School Board does not contest the award for Claimant's past medical expenses or the award for Claimant's past pain and suffering. The School Board asserts that the awards for future medical expenses and future pain and suffering are excessive.

Claimant, a male, born September 7, 1991, is a basketball player who currently plays for Santa Fe College. On December 15, 2005, Claimant was being transported from basketball practice to his home in a van being driven by Vincent Merriweather, a volunteer coach for Claimant's team. Mr. Merriweather served as a mentor to Claimant.

On that date Mr. Merriweather's van was stopped at a red light in a westbound lane at the intersection of Forest Hills Boulevard and Olympia Boulevard in Palm Beach County when a school bus owned and operated by the Palm Beach County School District rear-ended the van. It was estimated that the bus was traveling in excess of 45 MPH when it hit the van, and there was no credible evidence that the driver applied his brakes at any point before the accident.

The negligence of the school bus driver was the cause of the accident and was the proximate cause of the damages suffered by Claimant.

Mr. Merriweather was also injured in the accident and suffered damages in excess of \$100,000.00. Mr. Merriweather was granted compensation for his excess damages by Chapter 2009-247, Laws of Florida.

Claimant was wearing a seat belt at the time of the crash. Claimant's seat failed as a result to the force of the impact, and he was thrown into the back of the van and briefly lost consciousness. When he regained consciousness, he began yelling for Mr. Merriweather, who was unable to respond. Claimant was able to exit the van, but he immediately experienced pain in his neck. An unidentified person assisted Claimant by helping him to lie down on the pavement. A person identified as a school nurse told Claimant to be still until emergency services arrived and advised him to stay still.

Emergency responders arrived on the scene in a timely fashion, stabilized Claimant's head and neck, and transported him to Wellington Regional Hospital.

Diagnostic testing at Wellington Regional Hospital reflected that Claimant had suffered a cervical fracture in the region of the neck referred to as C6-C7. The cervical area of the neck, consisting of seven vertebrae, is immediately above the thoracic region. The designation C6-7 (or C6-C7) indicates the area where the sixth cervical vertebrae and the seventh cervical vertebrae are located. Between the two vertebrae is a disc, which serves several purposes, including acting as a shock absorber between the two vertebrae. The spinal cord runs through the vertebrae of the cervical and thoracic regions.

Due to the severity of the injury, which included a risk of paralysis, Wellington Regional Hospital transferred Claimant to the trauma center at St. Mary's Hospital.

At St. Mary's, Claimant was placed in cervical traction consisting of immobilizing hardware being screwed into his skull and being strapped to a bed where he was unable to move.

Dr. Bret Baynham, a certified pediatric orthopedic surgeon, performed the following procedures on Claimant: Open Reduction C6-7 Fracture-Dislocation; Anterior Cervical Discectomy C6-7; Anterior Cervical Decompression, C6-7; Anterior Cervical Interbody Fusion Device C6-7; and Anterior Cervical Fusion C6-7.

In layman's terms, Dr. Baynham fused Claimant's C6-C7 vertebrae. He removed the disc between C6-C7. In the area from which the disc had been removed, he inserted a hollowed metallic dowel, referred to as a cage, filled with particles of bones that were designed to allow the two vertebrae to eventually grow together. He then affixed a metal plate to stabilize C6-C7 using special bone screws. The metal plate is intended to be permanent.

Dr. Baynham provided Claimant excellent care.

Post-surgery, Claimant underwent a grueling rehabilitation. Claimant worked hard during rehabilitation and cooperated fully with his therapists and other treatment providers.

Dr. Baynham continued to follow Claimant's recovery post-surgery. On July 27, 2006, Dr. Baynham found Claimant to be pain free and gradually returning to normal activities. Dr. Baynham's office notes reflect the following recommendation: "At this point we are going to allow [Claimant] to return to full activity. Based on his clinical and radiographic findings he is found to have a stable healed injury without any evidence of any residual instability or neurologic compromise. If he should have any problems as we move forward he is to refrain from activity and contact us immediately. This would include pain recurrence or any signs or symptoms associated with spinal cord or nerve root irritation. Otherwise if he remains well we would like to have him follow up in six months for re-evaluation including radiographs if indicated."

After July 27, 2006, Claimant resumed playing basketball and became a star high school player and a full-scholarship player at Santa Fe College in Gainesville. Claimant has been cleared to play basketball without any medical restrictions attributable to the injuries he received in the 2005 accident.

At present, Claimant experiences periodic neck pain.

Adjacent disc disease (also referred to in the record as "adjacent segment disease") can be a consequence of fusing two vertebrae. When two discs are fused, greater mechanical loading or stress is placed on the vertebrae above or below the fused discs, which may or may not cause disc degeneration and require further intervention. While adjacent disc disease may be discernable by a MRI relatively soon after the fusion, symptoms from the disease typically come later in life, but may not come at all.

Claimant was seen by Dr. Baynham on follow-up on November 27, 2007. His impression was that Claimant was stable with no residual neurologic impairment, no pain in the neck, and no functional loss of motion. His recommendation was that "Based on the clinical and radiographic findings [Claimant] is found to have a stable healed injury without evidence of any residual instability or neurologic compromise. No further treatment is indicated at this time. No restrictions to athletic participation. Follow up prn."

Claimant experienced neck and back pain in 2009 and returned to Dr. Baynham in January and June of that year. In June 2009, Dr. Baynham ordered an MRI for Claimant. Dr. Baynham observed changes in C7-T1 (T1 is the first thoracic vertebrae). Dr. Baynham testified that the changes could be the delayed manifestation of injuries from the initial injury. He also testified that the changes could be the result of adjacent segment disease phenomenon. Dr. Baynham testified that the changes "are certainly consistent with not only the zone of initial injury, but also some additional changes that are probably the result of this adjacent segment disease phenomenon, as best we know."

Dr. Baynham further testified that "based on his young age and his life expectancy and based on the current state of understanding of this phenomenon of the adjacent level disc disease, I think it is probable, most probable that he will continue to experience changes there. And it will, in time, probably rise to the level of becoming clinically significant, meaning a source of pain and potentially a source requiring additional treatment."

Dr. Craig H. Lichtblau is a physiatrist who specializes in physical medicine, rehabilitation, and evaluation. Dr. Lichtblau was retained by Claimant to conduct a Comprehensive Rehabilitation Evaluation of Claimant, give an impairment rating of Claimant, and provide a Continuation of Care plan for Claimant

Dr. Lichtblau assigned Claimant a 4 percent permanent partial impairment of the whole person.

Dr. Lichtblau's Continuation of Care plan included the services that Dr. Lichtblau believed Claimant would or may need in the future. Dr. Lichtblau's plan included future epidural steroid injections and surgical intervention. Dr. Baynham testified that including epidural steroid injections is reasonable. Dr. Baynham also testified that Claimant is at an increased risk of future surgical intervention.

Bernard E. Pettingill, Jr., Ph.D. is a consulting economist who, on February 12, 2009, prepared an analysis entitled "The Present Value Analysis of the Future Medical Care Costs of [Claimant]". At the time of the analysis, Claimant's life expectancy was projected to be 53.6 years beyond the date of the report.

Claimant represented in his "Summary of Case" that the parties stipulated that Claimant's past medical expenses for purposes of trial were \$96,475.64.

Dr. Pettingill used Dr. Lichtblau's Continuation of Care plan to compute the present value of Claimant's "Total Economic Loss, Period II, Future Loss, After Trial Date". Claimant presented evidence to the jury that the correct total economic loss for the post-trial period, as computed by Dr. Pettingill, was \$363,487.00.

Claimant was examined by Dr. Jordan Grabel, a neurological surgeon, on July 17, 2008, at the request of the School Board. Dr. Grabel reviewed Claimant's medical records and took histories from Claimant and Claimant's mother. Dr. Grabel found that Claimant's surgery had healed and that there were no other abnormalities that could be associated with the accident. Dr. Grabel opined that there was a 50-50

chance that the onset of adjacent segment disease will be discernable by X-ray in future years. He further opined that there is no way to determine whether Claimant will become symptomatic or need future surgical treatment. Dr. Grabel was of the opinion that the Continuation of Care plan prepared by Dr. Lichtblau included non-invasive follow-up treatment that was unnecessary.

The School Board did not have a consulting economist estimate the present value of Claimant's future economic loss based on the services Dr. Grabel believed Claimant would need.

Dr. Mark Rubenstein conducted a compulsory medical examination of Claimant on August 11, 2008. Dr. Rubenstein's evaluation included a physical examination and a review of Claimant's medical records. Dr. Rubenstein's report reflects his opinion that Claimant's future medical care will be limited to physician visits on an as-needed basis and that Claimant will require future MRI studies and X-rays. Although he acknowledged the possibility of adjacent disc disease, he did not believe that intervention was medically probable. Dr. Rubenstein's report reflects the opinion that Claimant's future pain management will be limited to the use of anti-inflammatory medications.

In its position statement, the School Board represents that Dr. Rubenstein is a physiatrist retained by the School Board and that he believed that Claimant's future care not including surgery for adjacent segment disease would be approximately \$25,000.00. The undersigned did not find that figure in Dr. Rubenstein's report.

CLAIMANT'S POSITION:

1. The negligence of the school bus driver was the sole and proximate cause of the injuries and damages sustained by Claimant.
2. Claimant's future damages are not speculative, and the jury's verdict is supported by the evidence.

SCHOOL BOARD'S POSITION:

1. School Board stipulated that it is liable for Claimant's damages.
2. School Board does not dispute the jury award for past medical expenses or for past pain and suffering.

3. School Board asserts that Claimant has healed and has become a star basketball player.

4. School Board contends that awards for future medical expenses and future pain and suffering are excessive and speculative.

5. School Board argues that \$25,000.00 would suffice for future medical expenses and that \$50,000.00 would suffice for future pain and suffering.

6. School Board is self-insured and is experiencing a bleak fiscal year with expected shortfalls of over \$54,000,000.00.

CONCLUSIONS OF LAW:

The bus driver had a duty to exercise reasonable care in the operation of the bus. See generally s. 316.183(1), Fla. Stat. He breached this duty by crashing into the back of Mr. Merriweather's stopped van. See Eppler v. Tarmac America, Inc., 752 So. 2d 592 (Fla. 2000) (rear driver is presumed to be negligent in rear-end collision case absent evidence of a sudden and unexpected stop by the front driver).

The school bus driver was an employee of the School Board acting within the course and scope of his employment at the time of the accident. As a result, the driver's negligence is attributable to the School Board.

Consistent with the School Board's stipulation as to its liability, it is concluded that the bus driver's negligence was the sole and proximate cause of the injuries and damages sustained by Claimant, and that the driver's negligence is attributable to the School Board.

The jury based its verdict on competent, substantial evidence.

LEGISLATIVE HISTORY:

This is the second year that this claim has been presented to the Legislature.

ATTORNEYS FEES:

Claimant's attorney filed an affidavit stating that attorney's fees will be capped at 25 percent in accordance with s. 768.28(8), Florida Statutes. Lobbyist fees are incorporated into the attorney's fees cap.

The Legislature is free to limit those amounts as it sees fit. See Gamble v. Wells, 450 So. 2d 850 (Fla. 1984); Noel v. Schlesinger, 984 So. 2d 1265 (Fla. 4th DCA 2008). The bill provides that the total amount paid for attorney's fees, lobbying fees, costs, and other similar expenses relating to this claim may not exceed 25 percent of the total amount awarded under this act.

FISCAL IMPACT:

The School Board is self-insured and has no liability insurance applicable to this claim. The School Board expects to face a substantial budgetary shortfall and the passage of this claim bill will add to its budgetary difficulties.

OTHER ISSUES:

The bill, as filed, does not include the sum of \$50,394.52, which is the amount of the "Final Cost Judgment" entered by Judge Barkdull on August 4, 2010. The bill should be amended to add costs in the sum of \$50,394.52, so that the total amount of the award will be increased from the sum of \$994,034.30 to the sum of \$1,044,428.82.

RECOMMENDATIONS:

Based upon the foregoing, I recommend that Senate Bill 26 be reported FAVORABLY, as amended.

Respectfully submitted,



Claude B. Arrington
Senate Special Master

cc: Senator Ellyn Setnor Bogdanoff
Debbie Brown, Interim Secretary of the Senate
Counsel of Record



The Florida Senate

Committee Agenda Request

To: Senator Miguel Diaz de la Portilla, Chair
Committee on Judiciary

Subject: Committee Agenda Request

Date: January 20, 2016

I respectfully request that **Senate Bill # 50**, relating to Relief of Altavious Carter by the Palm Beach County Public School Board, be placed on the:

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

Anitere Flores

Senator Anitere Flores
Florida Senate, District 37

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Judiciary

BILL: SM 1642

INTRODUCER: Senator Garcia

SUBJECT: Cuban Adjustment Act of 1966

DATE: February 8, 2016

REVISED: 02/08/16

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Davis	Cibula	JU	Favorable
2.			RC	

I. Summary:

SM 1642 urges Congress to review and revise the Cuban Adjustment Act of 1966. The Cuban Adjustment Act (CAA) and subsequent legislation provide Cuban immigrants with unique benefits and an expedited path to citizenship. These legal and financial benefits are not available to any other group of immigrants. As the United States has reestablished diplomatic ties with Cuba, the number of Cubans entering this country has increased dramatically.

The memorial recounts recent changes in the relationship between the United States and Cuba and urges Congress to review and revise the CAA to reflect the changes that have occurred since the legislation was enacted over 50 years ago.

II. Present Situation:

Since Fidel Castro formally seized power in Cuba in 1959, thousands of Cubans have fled the island nation, often in makeshift boats, seeking refuge in this country. The flow of immigrants has been steady, punctuated by several noticeable surges. The generous and unique laws that welcome Cubans to this country, coupled with the various forms of aid available to them upon arrival, make it advantageous for Cubans to relocate here.

Federal Laws and Policies

The Cuban Adjustment Act of 1966

The foundation of American-Cuban immigration policy is the Cuban Adjustment Act of 1966 (CAA).¹ Congress passed the legislation to accommodate the migration of Cubans after the 1965 amendments to the Immigration and Nationality Act limited the number of Cubans and other

¹ 8 U.S.C. 1255, Pub. L. No. 89-732, 80 Stat. 1161.

immigrants who could receive visas to enter this country.² Under the provisions of the CAA, all Cubans who arrive here are treated as political refugees and are eligible to become legal permanent residents after one year, and receive a green card, if they are otherwise admissible. Congress has passed additional immigration legislation³ establishing the broader refugee and asylum system, but the favorable CAA provisions have not been changed.⁴ No other immigrant group receives this favorable treatment.⁵

As boat migrations increased in 1993 and 1994, the U.S. and Cuba reached two migration agreements under the Clinton administration. Before the agreements, Cubans interdicted at sea by the U.S. Coast Guard or Navy were granted admission to this country. Some criticized this practice as unnecessarily encouraging Cubans to undertake the often perilous and sometimes fatal journey. In the 1994 agreement, Cuba committed to discourage the maritime journeys and the United States agreed to grant admission to at least 20,000 Cubans each year while placing interdicted Cubans in safe havens where they would be considered for asylum. With the 1995 agreement, the United States agreed to parole status for approximately 30,000 Cubans who were awaiting an asylum determination but changed the policy for returning interdicted Cubans. Cubans who were afraid of persecution if returned to Cuba were deemed to meet the definition of a refugee and would be relocated to third countries, but were no longer eligible for asylum here.⁶

The “Wet Foot, Dry Foot” Policy

The CAA and the 1994 and 1995 agreements have established what is commonly referred to as the “wet-foot, dry-foot” policy towards Cubans. In simple terms, a Cuban who does not reach the shore is returned to Cuba, unless he or she expresses a fear of persecution. A Cuban who successfully reaches the shore is inspected by the Department of Homeland Security and is generally permitted to remain and adjust to permanent resident status the following year under the CAA.⁷

The Effects of Normalization and Recent Developments

President Obama announced a major policy change towards Cuba in December 2014. In moving away from a policy based on sanctions that originated in the Cold War, he announced a new policy of engagement characterized by the normalization of relations.⁸ The policy change has involved:

- Restoring diplomatic relations, which were reestablished on July 20, 2015;

² Marc R. Rosenblum and Faye Hipsman, Migration Policy Institute, *Normalization of Relations with Cuba May Portend Changes to U.S. Immigration Policy* (Jan. 13, 2015), available at <http://www.migrationpolicy.org/article/normalization-relations-cuba-may-portend-changes-us-immigration-policy>.

³ This analysis does not address all legislation governing Cuban immigration policy. Only the laws identified in SM 1642 are discussed.

⁴ *Supra* note 2.

⁵ Ruth E. Wasem, Congressional Research Service, *Cuban Migration to the United States: Policy and Trends* (June 2, 2009), available at <http://www.fas.org/sgp/crs/row/R40566.pdf>

⁶ *Supra* note 2.

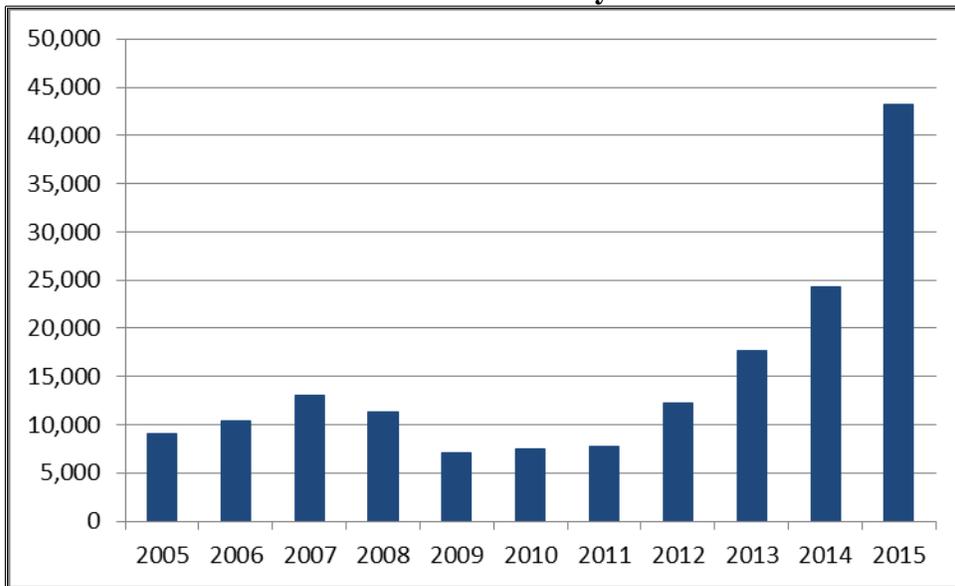
⁷ *Supra* note 5.

⁸ Mark P. Sullivan, Congressional Research Service, *Cuba: Issues for the 114th Congress* (Jan. 11, 2016), available at <http://fas.org/sgp/crs/row/R43926.pdf>.

- Reviewing Cuba’s designation as a state sponsor of terrorism, which was rescinded on May 29, 2015; and
- Increasing commerce, travel, and the flow of information to Cuba.⁹

According to the Pew Research Center, the number of Cubans who have entered the U.S. has risen dramatically since President Obama announced the policy changes toward Cuba. In fiscal year 2015, the number of Cubans entering the United States through a port of entry was 43,159. This is a 78 percent increase over fiscal year 2014, when 24,278 Cubans arrived.¹⁰ In fiscal year 2013, after the Cuban government relaxed travel restrictions, the number was 17,679. In contrast, the number of Cubans coming to the U.S. for fiscal years 2009, 2010, and 2011 ranged from 7,037 to 7,759.¹¹ From January to March 2015, soon after the policy change announcement, 9,900 Cubans entered the country which is more than double the 4,746 who entered during those same three months in 2014. A new migration trend is emerging whereby a growing number of Cubans are flying to Ecuador and traveling north through Central America and Mexico and entering through the Border Patrol’s Laredo, Texas Sector. For fiscal year 2015, two-thirds of all entering Cubans came this way. In fiscal year 2015, the number of Cubans entering through the Miami Sector increased from 4,709 in 2014 to 9,999.¹²

Number of Cubans Who Entered the U.S. by Fiscal Year¹³



⁹ *Id.* According to the Congressional Research Service, the Treasury and Commerce departments have relaxed the embargo regulations in the areas of travel, remittances, telecommunications, trade, and financial services. The broader embargo remains in place and may be lifted only by congressional action or if specified conditions in Cuba take place, in particular, having a democratically elected government.

¹⁰ Jens Manuel Krogstad, Pew Research Center, *Cuban Immigration to U.S. Surges as Relations Warm* (Dec. 10, 2015), available at <http://www.pewresearch.org/fact-tank/2015/12/10/cuban-immigration-to-u-s-surges-as-relations-warm/>. The entry statistics were obtained through a public records request to the U.S. Customs and Border Protection.

¹¹ *Id.*

¹² *Id.*

¹³ This chart was developed by Jens Krogstad, Writer/Editor, Pew Research Center, and is based on data he obtained from the U.S. Customs and Border Protection, U.S. Department of Homeland Security. Additional data was supplied in an email from Jens Krogstad (Feb. 1, 2016) (on file with the Senate Committee on Judiciary).

Maritime Migration Statistics

According to the U.S. Coast Guard, attempts by Cubans to migrate to the U.S. through the Florida Straits, the Caribbean, and the Atlantic have surged as relations between the countries have improved. Their intelligence assessment is that, based on recent trends and the improving relationship between the two countries, Cuban migration will continue to increase during 2016. Their reported data shows a marked increase for the first months of fiscal year 2016 over that same time period in fiscal years 2014 and 2015.¹⁴ The disrupted, interdicted, and completed migrations increased 46% between the same time periods in 2015 and 2016.

Cuban Monthly Flow by Sea

Fiscal Year	2014	2015	2016
November	199	207	493
December	222	507	619
January	240	355	449 ¹⁵
Totals	661	1069	1561

The Coast Guard reported 2,111 interdictions in fiscal year 2014 and 2,927 in fiscal year 2015. In January 2016, the Coast Guard interdicted 391 Cubans, or 87 percent of the flow of Cubans to the United States.¹⁶

Federal Assistance for Eligible Cubans

When Cubans are classified as refugees, asylees, asylum applicants, parolees, or are in removal proceedings, federal laws and policies provide substantial resources to the state to help them integrate into local communities. If Cubans meet the necessary requirements to qualify, they may access the following benefits:

- Supplementary Social Income (SSI)
- Medicaid
- Supplemental Nutrition Assistance Program (SNAP)
- Temporary Assistance for Needy Families (TANF)
- Refugee Cash Assistance (RCA)
- Refugee Medical Assistance (RMA)

SSI and SNAP are federally funded programs, RCA and RMA are federally funded through a grant from the Office of Refugee Resettlement, and TANF and Medicaid are split federal and state funding.¹⁷

¹⁴ U.S. Coast Guard, District Seven, *Cuban Maritime Migration Update* (Jan. 2016) (on file with the Senate Committee on Judiciary). The fiscal year for the federal government begins on October 1 and ends on September 30. Accordingly, fiscal year 2014 includes data from November and December 2013 and January 2014.

¹⁵ *Id.*

¹⁶ Email from CDR Timothy Cronin, Assistant Branch Chief, Enforcement, Coast Guard Seventh District (Feb. 1, 2016) (on file with the Senate Committee on Judiciary).

¹⁷ Email from Patti Grogan, Director, Refugee Services, Department of Children and Families (Feb. 2, 2016) (on file with the Senate Committee on Judiciary).

Cuban Population Statistics

Cuban Immigrants Living in the United States

After the revolution in Cuba, the number of Cuban immigrants living in the United States rose from 71,000 in 1950 to 163,000 in 1960. The U.S. government arranged “Freedom Flights” between 1965 and 1973, bringing approximately 300,000 Cubans to Miami. With the Mariel boatlift of 1980 an additional 125,000 Cubans arrived in South Florida over a 6 month period. Boat migrations continued to bring thousands more Cubans into Florida. The Cuban immigrant population rose from approximately 737,000 in 1990 to 1,144,000 in 2013. Presently, the United States has the largest number of Cuban immigrants in the world, followed by Spain, Italy, Puerto Rico, and Mexico.¹⁸

Cuban Arrivals in Florida

The last 5 years have seen a consistent increase in Cubans coming to Florida. Between 1996 and 2011, approximately 24,000 Cubans arrived in Florida each year for a monthly average of 2,000 people. Strategies changed and many Cubans began traveling to South America or Mexico to enter through Texas where the wet foot, dry foot policy permitted their entry without risking a maritime crossing. In 2012, however, the numbers began to rise and the trend has continued each year. The average number of Cubans coming to Florida in fiscal year 2012 was almost 2,300 per month, for fiscal years 2013 and 2014, the number rose to over 2,600 per month. In fiscal year 2015, the average monthly migration increased to 3,700 each month. The rate remains high and continues to increase.¹⁹

The population of newly arriving Cuban immigrants is concentrated in Miami-Dade County where approximately 75 percent of the new arrivals reside. The communities registering the next largest populations are Hillsborough, Palm Beach, Broward, and Orange counties.²⁰ While Florida received refugees from 57 countries in 2015, 94 percent were Cubans and 71 percent of them settled in Miami-Dade County.²¹

Media Accounts of Cubans Taking Advantage of the Migration Laws and Benefits

The Sun Sentinel newspaper produced a series of articles last year detailing alleged abuses of the benefits available to Cubans. One article stated that Cuban immigrants are “cashing in on U.S. welfare” and returning to Cuba, making a “mockery” of the premise that Cuban refugees are fleeing persecution when they arrive here.²² Another article detailed the generous benefits that

¹⁸ Sylvia Rusin, Jie Zong, and Jeanne Batalova, Migration Policy Institute, *Cuban Immigrants in the United States* (April 7, 2015), available at <http://www.migrationpolicy.org/article/cuban-immigrants-united-states>

¹⁹ Patti Grogan, Director, Refugee Services, Department of Children and Families, *Increasing Cuban Arrivals to Florida, Recent History and Implications* (Jan. 28, 2016) (on file with the Senate Committee on Judiciary).

²⁰ *Id.*

²¹ Florida Department of Children and Families, *Statistics for Florida 2015*, available at <http://www.myflfamilies.com/service-programs/refugee-services/statistics-florida>.

²² Sally Kestin, Megan O’Matz, John Maines, with Tracey Eaton, *U.S. Welfare Flows to Cuba*, SUN SENTINEL, (Oct. 1, 2015), available at <http://www.sun-sentinel.com/us-cuba-welfare-benefits/sfl-us-cuba-welfare-benefits-part-1-htmlstory.html>.

are available to Cuban immigrants, but not to other immigrants.²³ A three-part series reported findings that “money stolen in the United States” was streaming back to Cuba thereby allowing thieves to come and quickly make money which returned with them to Cuba.²⁴ The second installment reported alleged Cuban organized crime rings that recruited Cubans to work in their organizations in Florida. The third installment detailed the response of members of Congress to the investigative reports. The installment also raised suspicions as to whether the Cuban government is behind the criminal activities.

Proposed Federal Legislation

Several members of Congress have co-sponsored the Cuban Immigrant Work Opportunity Act of 2016 in an attempt to correct perceived abuses to the current system.²⁵ The act is supposed to eliminate the automatic eligibility that Cubans enjoy under the Refugee Resettlement Program and ensure that only Cubans who can demonstrate persecution are able to participate in the benefits. Additionally, the administration is held accountable to enforce regulations that will ensure that benefits are not received by persons living outside of the country.²⁶

U.S. Department of State - Embassy Website

The U.S. Department of State issued a fact sheet entitled the “Re-Establishment of Diplomatic Relations With Cuba” on July 6, 2015.²⁷ After discussing the normalization of relations, the article concludes with a position statement on Cuban immigration policy:

The Administration has no plans to alter current migration policy, including the Cuban Adjustment Act. The United States continues to support safe, legal and orderly migration from Cuba to the United States and the full implementation of the existing migration accords with Cuba.

III. Effect of Proposed Changes:

A memorial is an official legislative document addressed to Congress, the President of the United States, or some other governmental entity that expresses the will of the Legislature on a matter within the jurisdiction of the recipient. A memorial requires passage by both legislative houses but does not require the Governor’s approval nor is it subject to a veto. Memorials often

²³ Sally Kestin and Megan O’Matz, *Aid favors Cuban immigrants*, SUN SENTINEL (Sept. 30, 2015), available at <http://www.sun-sentinel.com/sfl-aid-favors-cuban-immigrants-20150930-htmlstory.html>.

²⁴ Sally Kestin, Megan O’Matz, John Maines and Tracey Eaton, *Part I: Exploiting U.S. Laws Part II: Organized and Spreading*; and *Part III: Congress Reacts*, SUN SENTINEL, (Jan. 8, 2015) available at <http://interactive.sun-sentinel.com/plundering-america/>.

²⁵ H.R. 4247 by Reps. Carlos Curbelo, Ileana Ros-Lehtinen, Mario Diaz-Balart, Theodore Deutch, Ron DeSantis, Debbie Wasserman Schultz, Lois Frankel, Ander Crenshaw, and others. The companion measure, S.2441, is sponsored by Sen. Marco Rubio.

²⁶ Congressman Carlos Curbelo, *Protect the Refugee Assistance Program from Fraud and Abuse* (on file with the Senate Committee on Judiciary).

²⁷ U.S. Department of State, *Re-Establishment of Diplomatic Relations With Cuba* (July 6, 2015), available at <http://www.state.gov/r/pa/prs/ps/2015/07/244623.htm>.

express the Legislature's desire that Congress take action on a certain matter or request that Congress propose an amendment to the United States Constitution.²⁸

SM 1642 urges Congress to review and revise the Cuban Adjustment Act of 1966. The current law and policies, which were enacted more than 50 years ago, provide Cuban immigrants with unique financial benefits and an expedited path to citizenship that is not available to any other immigrant group. These benefits were established during the Cold War and were designed to welcome Cubans and make their assimilation into the United States very smooth.

The memorial states that the Cuban Adjustment Act was enacted when the United States did not recognize the government of Cuba, there were no diplomatic relations between the nations, travel was restricted, and Cuban immigrants were politically oppressed refugees during the Cold War. However, since the Cold War has ended and the United States has recognized the Cuban government, diplomatic relations are maintained, and travel is less restricted, Congress should review and revise the Cuban Adjustment Act to reflect the changes that now exist in the relationship between the United States and Cuba. Congress is urged to specifically consider how Cubans are eligible to apply for social benefits under the "wet foot, dry foot" policy in light of the renewed diplomatic relationship between the nations. However, the memorial does not request that Congress enact any specific policy.

Copies of the memorial are to be sent to the President, the President of the United States Senate, the Speaker of the House of Representatives, and each member of the Florida delegation to Congress.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

²⁸Office of Bill Drafting Services, *Manual for Drafting Legislation*, The Florida Senate, at 137-138. (2009), available at <http://intranet.flsenate.gov/Publications>.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

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.

By Senator Garcia

38-01487A-16

20161642__

1 Senate Memorial

2 A memorial to the Congress of the United States,
3 urging Congress to review and revise the Cuban
4 Adjustment Act of 1966.

5
6 WHEREAS, the Cuban Adjustment Act of 1966, Pub. L. No. 89-
7 732, 80 Stat. 1161, was enacted and subsequently amended to
8 allow certain Cubans physically present in the United States to
9 be treated as aliens lawfully admitted for permanent residence,
10 creating what is often referred to as the "wet foot, dry foot"
11 policy, and

12 WHEREAS, this law provides Cuban immigrants with an
13 advantage that immigrants of other nationalities do not have,
14 and

15 WHEREAS, at the time the law was enacted, the Cuban
16 government was not recognized by the United States, the
17 countries did not maintain diplomatic relations, travel between
18 the countries was severely restricted, and Cuban immigrants were
19 refugees from political oppression during the Cold War, and

20 WHEREAS, the Cold War has ended, the United States has
21 recognized the Cuban government, and both countries now maintain
22 diplomatic relations, and

23 WHEREAS, travel between the United States and Cuba is now
24 considerably less restricted, NOW, THEREFORE,

25
26 Be It Resolved by the Legislature of the State of Florida:

27
28 That the Congress of the United States is urged to review
29 and revise the Cuban Adjustment Act of 1966 to reflect the
30 changes in the relationship between the United States and Cuba
31 in the half century since its enactment. Specifically, the
32 Congress of the United States should consider the circumstances

Page 1 of 2

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

38-01487A-16

20161642__

33 under which Cuban immigrants are eligible to apply for social
34 benefits as refugees under the wet foot, dry foot policy, taking
35 into consideration the renewed diplomatic relations between the
36 two nations.

37 BE IT FURTHER RESOLVED that copies of this memorial be
38 dispatched to the President of the United States, to the
39 President of the United States Senate, to the Speaker of the
40 United States House of Representatives, and to each member of
41 the Florida delegation to the United States Congress.

Page 2 of 2

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

The Florida Senate
State Senator René García
38th District

District Office:
1490 West 68 Street
Suite # 201
Hialeah, FL. 33014
Phone# (305) 364-3100

January 20, 2016

The Honorable Miguel Diaz de la Portilla
Chairman, Judiciary
515 Knott Building
404 S. Monroe Street
Tallahassee, FL 32399-1100

Dear Senator Diaz de la Portilla:

Please have this letter serve as my formal request to have **SM 1642: Cuban Adjustment Act of 1966**, be heard in the next possible Judiciary Committee Meeting. Should you have any questions or concerns, please do not hesitate to contact my office.

Sincerely,



State Senator René García
District 38
RG:AD

CC: Tom Cibula, Joyce Butler

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/2016

Meeting Date

Topic _____

Bill Number 1642

(if applicable)

Name BRIAN PITTS

Amendment Barcode _____

(if applicable)

Job Title TRUSTEE

Address 1119 NEWTON AVNUE SOUTH

Phone 727-897-9291

Street

SAINT PETERSBURG FLORIDA 33705

City

State

Zip

E-mail JUSTICE2JESUS@YAHOO.COM

Speaking: For Against Information

Representing JUSTICE-2-JESUS

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

S-001 (10/20/11)

THE FLORIDA SENATE

APPEARANCE RECORD

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

218 12016

Meeting Date

Topic _____

Bill Number 1642
(if applicable)

Name BRIAN PITTS

Amendment Barcode _____
(if applicable)

Job Title TRUSTEE

Address 1119 NEWTON AVNUE SOUTH
Street

Phone 727-897-9291

SAINT PETERSBURG FLORIDA 33705
City *State* *Zip*

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

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

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Judiciary

BILL: SB 1244

INTRODUCER: Senator Simmons

SUBJECT: Driving Under the Influence

DATE: January 15, 2016

REVISED: 1/25/16

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	McAloon	Cibula	JU	Favorable
2.			ACJ	
3.			AP	

I. Summary:

SB 1244 increases the penalties on a person who refuses to submit to an alcohol test, incidental to lawful detention, while operating a motor vehicle. The penalties include a fine, probation, and points assessed against an individual's license. The increased penalties for first refusal closer resemble the penalties for a first-time DUI conviction under Florida law.

The bill also increases penalties on a person who refuses to submit to an alcohol test, incidental to lawful detention, and whose driving privileges were suspended for a prior refusal to submit to testing. In addition to the potential fines and jail time under current law, the person must have an ignition interlock device placed on his or her vehicle for a period of at least 1 year. Furthermore, a court may not withhold adjudication of guilt, or the imposition of a sentence or penalty, on a person who has had a prior license suspension for refusing testing.

II. Present Situation:

Refusal to Submit to Alcohol Testing

Any person who accepts the privilege of operating a motor vehicle within this state is deemed to have given his or her consent to submit to an approved test of the alcohol content of his or her blood, breath, or urine.¹ The test must be incidental to a lawful arrest, and administered at the request of a law enforcement officer who has a reasonable belief such person was driving a motor vehicle while under the influence of alcoholic beverages.²

The Department of Motor Vehicles will administratively suspend a person's driving privileges for 1 year after the first refusal of alcohol testing.³ The second refusal to consent to a test will

¹ Section 316.1932(1)(a)1.a., F.S.

² *Id.*

³ Section 322.2615(1)(b)1.a., F.S.

result in an administrative suspension as well as criminal charges. A second refusal occurs when a person's driving privileges were suspended for a prior refusal, and he or she refuses to submit to an alcohol test for a second time. A person's motor vehicle license is suspended by the Department of Motor Vehicles for 18 months if found liable for a second refusal.⁴ A person who refuses to submit to a alcohol test for a second time faces criminal liability for a first degree misdemeanor, punishable by up to 1 year in jail and \$1,000 fine.⁵

Florida's DUI Laws

Florida's current DUI laws provide for both administrative and criminal sanctions. A first conviction results in a fine of not less than \$500 or more than \$1,000.⁶ If the individual's blood or breath-alcohol level is 0.15 or higher, or if he or she has a minor in the vehicle, the fine is not less than \$1,000 or more than \$2,000.⁷ There is a community service requirement of 50 hours.⁸ A first-time conviction can also lead to imprisonment for a period of no more than 6 months and up to 1 year of probation.⁹

Breath Test Refusal Rates

In 2014, the U.S. Department of Transportation National Highway Traffic Safety Administration released a study regarding breath test refusal rates.¹⁰ The study found Florida had a breath test refusal rate of 82 percent in 2011, as compared to a rate of 40 percent in 2005. The National Highway Traffic Safety Administration also found the average refusal rate for the country as a whole ranged from 19 to 25 percent. State authorities reported to the authors of the study that refusal rates will remain high if the sanctions for failing a breath-alcohol concentration test are more severe than those for refusing to submit to the test. State authorities recommended the license suspension periods for first and repeat refusals be at least as severe as those penalties for driving under the influence.

Ignition Interlock Device

The Florida Legislature's Office of Program Policy Analysis & Government Accountability conducted a study researching ignition interlock devices and DUI recidivism rates.¹¹ An ignition interlock device prevents the start of a vehicle with a breath sample above .025, collects data, and records and stores visual evidence of device use.¹² Research shows that ignition interlock devices, while installed, were more effective at reducing re-arrest rates for alcohol-impaired driving when compared to other sanctions, such as license suspensions.¹³ The study found the six

⁴ Section 316.1939(1)(c), F.S.

⁵ Sections 316.1939(1)(e), 322.2615, F.S.

⁶ Section 316.193(2)(a)-(b), F.S.

⁷ Section 316.193(4), F.S.

⁸ Section 316.193 (6)(a), F.S.

⁹ Sections 316.193 (2)(a), 316.193 (5)(6), F.S.

¹⁰ Esther S. Namuswe, Heidi L. Coleman, Amy Beming, *Breath Test Refusal Rates in the United States – 2011 Update*, U.S. Dept. of Transportation National Highway Traffic Safety Administration (March 2014).

¹¹ Office of Program Policy Analysis & Government Accountability, *Ignition Interlock Devices and DUI Recidivism Rates*, (December 2014).

¹² *Ignition Interlock Program* at www.flhsmv.gov.

¹³ Office of Program Policy Analysis & Government Accountability, *supra* note 11 at 1.

month recidivism rate for first-time DUI offenders that were not required to install an ignition interlock device was 1.74 percent. When compared, the recidivism rate for first-time offenders required to use the ignition interlock device was less with a rate of 0.34 percent.¹⁴ However, the study also found that only 49 percent of Florida DUI offenders installed an ignition interlock device, as required, after completing their period of license revocation.¹⁵

Florida Refusal to Consent Case Law

In *Williams v. State*, an opinion issued by the Fifth District Court of Appeal in June 2015, the defendant was convicted of a first degree misdemeanor under Florida's refusal to submit statute for a second refusal to submit to a breath test. In a challenge to the constitutionality of the statute, the defendant argued that the statute violated the Fourth Amendment, which prohibits unreasonable searches and seizures. Specifically, he argued it violated the unconstitutional conditions doctrine as set forth in the 2013 opinion of the United States Supreme Court in *Missouri v. McNeely*.¹⁶ Thus, the issue presented in *Williams* was whether it is constitutional to punish a person criminally for refusing to submit to a breath-alcohol test when the officer conducting the test does not have a warrant.

The unconstitutional conditions doctrine prohibits the government from denying a benefit to a person because he or she exercises a constitutional right.¹⁷ However, the Constitution does not prohibit every government imposed choice in the criminal process that has the effect of discouraging the exercise of constitutional rights.¹⁸ Generally, warrantless searches are presumptively unreasonable unless they fall within a recognized exception to the warrant requirement.¹⁹ The warrant requirement ensures that inferences to support the search are drawn by a neutral and detached magistrate instead of being judged by the officer engaged in the task of solving the crime.²⁰

In *McNeely*, the Court was asked to determine whether the natural metabolization of alcohol in the bloodstream presents an inherent necessity that justifies an exception to the Fourth Amendment's warrant requirement for nonconsensual blood testing in drunk-driving cases.²¹ It concluded that an inherent necessity for nonconsensual blood testing did not automatically exist in all drunk-driving cases.²² The Court held that the review of a warrantless, nonconsensual blood test must always be examined on a case-by-case basis and founded on the totality of the circumstances.²³

The Fifth DCA, in *Williams*, found that the state's implied consent statute was not an unconstitutional condition or a violation of a person's Fourth Amendment rights. Instead, the

¹⁴ *Id.* at 8.

¹⁵ *Id.* at 4-5.

¹⁶ *Williams v. State*, 167 So. 3d 483, 493 (Fla. 5th DCA 2015), *reh'g denied* (July 1, 2015), *review granted*, No. SC15-1417, 2015 WL 9594290 (Fla. Dec. 30, 2015).

¹⁷ *Williams*, 167 So. 3d at 486 (quoting *Koontz v. St Johns river Water Mgmt. Dist.*, 133 S. Ct. 2586, 2594 (2013)).

¹⁸ *Id.* at 486 (quoting *Jenkins v. Anderson*, 447 U.S. 231, 236 (1980)).

¹⁹ *See, e.g., Missouri v. McNeely*, 133 S. Ct. 1552, 1558 (2013).

²⁰ *Williams*, 167 So. 3d at 487 (quoting *Schmerber v. California*, 384 U.S. 757, 770 (1966)).

²¹ *McNeely*, 133 S. Ct. at 1556.

²² *Id.*

²³ *Id.*

Williams court followed the majority of courts in holding that statutory implied consent does not constitute an automatic exception to the warrant requirement.²⁴ The defendant did not necessarily consent to a breath test when he got behind the wheel of his car that night.²⁵ However, the *Williams court* found the statute, as applied, is constitutional under a general reasonableness test.²⁶

The *Williams court* found that many other courts have dealt with a criminal refusal to submit statute have not struck it down as unconstitutional.²⁷ The court balanced the state's legitimate interest against the degree to which the breath test would have intruded upon the defendant's privacy.²⁸ The state, according to the court, has legitimate interest in decreasing and prosecuting drunk driving. The state also has a compelling interest in protecting lives, securing the safety of public roads, and deterring drivers from operating vehicles while intoxicated.²⁹ Additionally, the court found a breath test is minimally intrusive, compared to the blood draw in *McNeely*, which heavily favors finding it reasonable.³⁰ The *Williams court* held the refusal to submit statute as constitutional because the state's compelling interest outweighed the degree of intrusiveness on defendant's privacy.

The Florida Supreme Court has accepted review the Fifth DCA opinion in *Williams v. State*.³¹ According to the deadlines set by the Court, the parties should be in the process of writing and filing their briefs.³²

Hawaii Refusal to Consent Case Law

The court in *Williams v. State*, cited to a Hawaii appellate court opinion in support of its position that no state has struck down a refusal to consent law as unconstitutional. Since the rendering of the decision, the Hawaii Supreme Court overruled the appellate court. In *State v. Won*, the Hawaii Supreme Court found the Hawaii Constitution does not determine whether bodily intrusions are lawful under a balancing test for reasonableness.³³ Instead, a warrantless search is only allowed when there is a rooted exception in law present.³⁴ The Hawaii Supreme Court further stated a balancing approach to determine reasonableness has not been adopted in the state and does not comport with an individual's rights against warrantless searches guaranteed by the Hawaii Constitution.³⁵

²⁴ *Williams*, 167 So. 3d at 491.

²⁵ *Id.* at 491.

²⁶ *Id.* at 492.

²⁷ *Id.*; see also *State v. Bernard*, 859 N.W.2d 762 (Minn. 2015); *North Dakota v. Birchfield*, 858 N.W. 2d 302 (N.D. 2015).

²⁸ *Williams*, 167 So. 3d at 493.

²⁹ *Id.*; see also *Mich. Dep't of State Police v. Sitz*, 496 U.S. 444, 451, 110 S.Ct. 2481, 110 L.Ed.2d 412 (1990) ("No one can seriously dispute the magnitude of the drunken driving problem or the States' interest in eradicating it."); *State v Birchfield*, 858 N.W. 2d 302, 309 (N.D. 2015).

³⁰ *Williams*, 167 So. 3d at 493-494.

³¹ *Williams v. State*, No. SC15-1417, 2015 WL 9594290 (Fla. 2015).

³² *Id.*

³³ *State v. Won*, 361 P.3d 1195 (2015).

³⁴ *Id.* at 1215.

³⁵ *Id.* at 1216.

III. Effect of Proposed Changes:

SB 1244 amends section 316.1939, F.S., to require stricter penalties for all first time and subsequent alcohol test refusals. The heightened penalties reduce the incentive for a person to refuse submission to testing for the first time in order to receive an advantage of a lesser penalty. Under the proposed law, a person who refuses to submit to testing for the first time faces the following additional penalties:

- A fine of at least \$500 but not more than \$1,000;
- Probation for 6 months; and
- 4 points assessed against his or her driver license.

The bill also increases penalties on a person whose driving privilege was suspended for a prior refusal and he or she subsequently refuses to comply with requirements for testing. In addition to the potential for fines and jail time under current law the bill requires the court to order the placement of an ignition interlock device upon all vehicles that are owned and routinely operated by an individual convicted of a second refusal. The ignition interlock device must remain on the vehicle for at least 1 year at the convicted individual's sole expense. Furthermore, the court may not suspend, defer, or withhold adjudication of guilt or the imposition of a sentence or penalty for an individual who fails to comply with the informed consent statute for a second time.

The bill takes effect October 1, 2016.

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

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

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

None.

B. Private Sector Impact:

None.

C. **Government Sector Impact:**

The Department of Highway Safety and Motor Vehicles estimated that it costs \$420,000 to administer the ignition interlock device program in Fiscal Year 2013-2014.³⁶ These costs include salaries and benefits for department staff who work directly with ignition interlock device vendors, the DUI programs, and indirect costs. The department receives a \$12 interlock fee for each installation.³⁷ This fee is collected by the vendors and in Fiscal Year 2013-2014, the department received \$187,596 in interlock fees. The figures will rise due to the fact the bill requires mandatory placement of an ignition interlock device for a second refusal to submit to an alcohol test.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The proposed changes do not interfere with a person's ability to refuse alcohol testing as is presently recognized. The proposed changes enhance the penalties for refusing to comply.

VIII. Statutes Affected:

The bill creates section 316.1939 of the Florida Statutes.

IX. Additional Information:

A. **Committee Substitute – Statement of Changes:**

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

None.

B. **Amendments:**

None.

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

³⁶ Office of Program Policy Analysis & Government Accountability, *supra* note 11 at 4.

³⁷ Section 322.2715(5), F.S. requires vendors to collect and remit \$12 for each installation to the department, which is deposited into the Highway Safety Operating Trust Fund to administer the ignition interlock device program.



168110

LEGISLATIVE ACTION

Senate

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. .
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. .

House

The Committee on Judiciary (Simmons) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (2) of section 316.193, Florida
Statutes, is amended to read:

316.193 Driving under the influence; penalties.-

(2) (a) Except as provided in paragraph (b), subsection (3),
or subsection (4), any person who is convicted of a violation of
subsection (1) shall be punished:

1. By a fine of:



168110

- 12 a. Not less than \$500 or more than \$1,000 for a first
13 conviction.
- 14 b. Not less than \$1,000 or more than \$2,000 for a second
15 conviction; and
- 16 2. By imprisonment for:
- 17 a. Not more than 6 months for a first conviction.
- 18 b. Not more than 9 months for a second conviction.
- 19 3. By mandatory placement, at the convicted person's sole
20 expense, of an ignition interlock device approved by the
21 department in accordance with s. 316.1938:
- 22 a. For a first conviction, for a period of at least 6
23 months; or
- 24 b. For a second conviction, by mandatory placement for a
25 period of at least 1 year, at the convicted person's sole
26 expense, of an ignition interlock device approved by the
27 department in accordance with s. 316.1938
- 28
- 29 upon all vehicles that are individually or jointly leased or
30 owned and routinely operated by the convicted person, when the
31 convicted person qualifies for a permanent or restricted
32 license. ~~The installation of such device may not occur before~~
33 ~~July 1, 2003.~~
- 34 (b)1. Any person who is convicted of a third violation of
35 this section for an offense that occurs within 10 years after a
36 prior conviction for a violation of this section commits a
37 felony of the third degree, punishable as provided in s.
38 775.082, s. 775.083, or s. 775.084. In addition, the court shall
39 order the mandatory placement for a period of not less than 2
40 years, at the convicted person's sole expense, of an ignition



168110

41 interlock device approved by the department in accordance with
42 s. 316.1938 upon all vehicles that are individually or jointly
43 leased or owned and routinely operated by the convicted person,
44 when the convicted person qualifies for a permanent or
45 restricted license. ~~The installation of such device may not
46 occur before July 1, 2003.~~

47 2. Any person who is convicted of a third violation of this
48 section for an offense that occurs more than 10 years after the
49 date of a prior conviction for a violation of this section shall
50 be punished by a fine of not less than \$2,000 or more than
51 \$5,000 and by imprisonment for not more than 12 months. In
52 addition, the court shall order the mandatory placement for a
53 period of at least 2 years, at the convicted person's sole
54 expense, of an ignition interlock device approved by the
55 department in accordance with s. 316.1938 upon all vehicles that
56 are individually or jointly leased or owned and routinely
57 operated by the convicted person, when the convicted person
58 qualifies for a permanent or restricted license. ~~The
59 installation of such device may not occur before July 1, 2003.~~

60 3. Any person who is convicted of a fourth or subsequent
61 violation of this section, regardless of when any prior
62 conviction for a violation of this section occurred, commits a
63 felony of the third degree, punishable as provided in s.
64 775.082, s. 775.083, or s. 775.084. However, the fine imposed
65 for such fourth or subsequent violation may be not less than
66 \$2,000.

67 ~~(c) In addition to the penalties in paragraph (a), the
68 court may order placement, at the convicted person's sole
69 expense, of an ignition interlock device approved by the~~



168110

70 ~~department in accordance with s. 316.1938 for at least 6~~
71 ~~continuous months upon all vehicles that are individually or~~
72 ~~jointly leased or owned and routinely operated by the convicted~~
73 ~~person if, at the time of the offense, the person had a blood-~~
74 ~~alcohol level or breath-alcohol level of .08 or higher.~~

75 Section 2. This act shall take effect October 1, 2016.

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

77 And the title is amended as follows:

78 Delete everything before the enacting clause
79 and insert:

80 A bill to be entitled
81 An act relating to driving under the influence;
82 amending s. 316.193, F.S.; requiring mandatory
83 placement, at the convicted person's sole expense, of
84 an ignition interlock device for a specified period
85 for a first conviction for driving under the
86 influence; deleting obsolete provisions; conforming
87 provisions to changes made by the act; providing an
88 effective date.

By Senator Simmons

10-00909-16

20161244__

A bill to be entitled

An act relating to driving under the influence; amending s. 316.1939, F.S.; providing penalties for a first-time refusal of a chemical or physical test of a person's breath, blood, or urine; providing that a subsequent refusal by a person who has previously had a license suspension for a prior refusal is a misdemeanor of the first degree; requiring the court to impose certain mandatory ignition interlock devices on the vehicles of convicted persons for a specified time under certain circumstances; prohibiting a court from suspending, deferring, or withholding adjudication of guilt or the imposition of a sentence or penalty for specified offenses; providing an effective date.

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

Section 1. Section 316.1939, Florida Statutes, is amended to read:

316.1939 Refusal to submit to testing; penalties.—

(1) Any person who has refused to submit to a chemical or physical test of his or her breath, blood, or urine, as described in s. 316.1932, ~~and whose driving privilege was previously suspended for a prior refusal to submit to a lawful test of his or her breath, urine, or blood,~~ and:

(a) Who the arresting law enforcement officer had probable cause to believe was driving or in actual physical control of a motor vehicle in this state while under the influence of alcoholic beverages, chemical substances, or controlled substances;

(b) Who was placed under lawful arrest for a violation of

Page 1 of 3

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

10-00909-16

20161244__

s. 316.193 unless such test was requested pursuant to s. 316.1932(1)(c);

(c) Who was informed that, if he or she refused to submit to such test, his or her privilege to operate a motor vehicle would be suspended for a period of 1 year or, in the case of a second or subsequent refusal, for a period of 18 months;

(d) Who was informed that a refusal to submit to a lawful test of his or her breath, urine, or blood, ~~if his or her driving privilege has been previously suspended for a prior refusal to submit to a lawful test of his or her breath, urine, or blood,~~ is subject to penalties a misdemeanor; and

(e) Who, after having been so informed, refused to submit to any such test when requested to do so by a law enforcement officer or correctional officer shall be punished:

1. By a fine of at least \$500 but not more than \$1,000;

2. By probation for 6 months; and

3. By having 4 points assessed against his or her driver license.

(2) (a) A person who has refused to submit to a chemical or physical test of his or her breath, blood, or urine, as described in s. 316.1932, and whose driving privilege was previously suspended for a prior refusal to submit to a lawful test of his or her breath, urine, or blood, commits a misdemeanor of the first degree and is subject to punishment as provided in s. 775.082 or s. 775.083.

(b) The court shall impose mandatory placement, for a period of at least 1 year at the convicted person's sole expense, of an ignition interlock device approved by the department in accordance with s. 316.1938 upon all vehicles that

Page 2 of 3

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

10-00909-16

20161244__

62 are individually or jointly leased or owned and routinely
63 operated by the convicted person, when the convicted person
64 qualifies for a permanent or restricted license.

65 (c) A court may not suspend, defer, or withhold
66 adjudication of guilt or the imposition of a sentence or penalty
67 for an offense under paragraph (a).

68 (3)(2) The disposition of any administrative proceeding
69 that relates to the suspension of a person's driving privilege
70 does not affect an offense ~~a criminal action~~ under this section.

71 (4)(3) The disposition of an offense ~~a criminal action~~
72 under this section does not affect any administrative proceeding
73 that relates to the suspension of a person's driving privilege.
74 The department's records showing that a person's license has
75 been previously suspended for a prior refusal to submit to a
76 lawful test of his or her breath, urine, or blood shall be
77 admissible and shall create a rebuttable presumption of such
78 suspension.

79 Section 2. This act shall take effect October 1, 2016.



The Florida Senate

Committee Agenda Request

To: Senator Miguel Diaz de la Portilla, Chair
Committee on Judiciary

Subject: Committee Agenda Request

Date: January 12, 2016

I respectfully request that **Senate Bill 1244**, relating to Driving Under the Influence, be placed on the:

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

A handwritten signature in black ink, appearing to read "David Simmons".

Senator David Simmons
Florida Senate, District 10

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/2016

Meeting Date

1244

Bill Number (if applicable)

Topic DUI

Amendment Barcode (if applicable)

Name Nancy Daniels

Job Title Public Defender, 2nd Circuit

Address 301 South Calhoun Street

Phone 850.606.1000

Street

Tallahassee

City

Florida

State

32301

Zip

Email nancy.daniels@flpd2.com

Speaking: For Against Information

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

Representing Florida Public Defender Association, Inc.

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/16
Meeting Date

SB 12.471
Bill Number (if applicable)

168110
Amendment Barcode (if applicable)

Topic _____

Name Laura McLeod

Job Title Executive Director

Address 1725 Mahan Drive
Street

Phone 850-671-3389

Tallahassee FL 32308
City State Zip

Email lmcLeod@fladui.org

Speaking: For Against Information

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

Representing Florida Association of DUI Programs

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

2-8-16
Meeting Date

1244
Bill Number (if applicable)

Topic Driving Under The Influence

168110
Amendment Barcode (if applicable)

Name Kristen Allen

Job Title State Victim Services Manager

Address 101B Thomasville Rd #101
Tallahassee, FL 32303
Street City State Zip

Phone 850-681-0061

Email Kristen.allen@madel.org

Speaking: For Against Information

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

Representing Mothers Against Drunk Driving

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

2 18 2016

Meeting Date

Topic _____

Bill Number 1244
(if applicable)

Name BRIAN PITTS

Amendment Barcode _____
(if applicable)

Job Title TRUSTEE

Address 1119 NEWTON AVNUE SOUTH

Phone 727-897-9291

Street

SAINT PETERSBURG

FLORIDA

33705

City

State

Zip

E-mail JUSTICE2JESUS@YAHOO.COM

Speaking: For Against Information

Representing JUSTICE-2-JESUS

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2-8-16

Meeting Date

1244

Bill Number (if applicable)

Topic Driving Under Influence

Amendment Barcode (if applicable)

Name H Lee Moffitt

Job Title Attorney

Address 3327 NW Perimeter Rd

Phone 813 760-5712

Street

Palm City

FL

34990

Email MrSpeaker@aol.com

City

State

Zip

Speaking: For Against Information

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

Representing AAA Auto Club Group of Florida

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.)

Prepared By: The Professional Staff of the Committee on Judiciary

BILL: SB 1412

INTRODUCER: Senator Simmons

SUBJECT: Conditions of Pretrial Release

DATE: January 25, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	McAloon	Cibula	JU	Favorable
2.			CJ	
3.			RC	

I. Summary:

SB 1412 clarifies that courts have the discretion to issue an order of no contact to a person on pretrial release. An order of no contact generally prohibits a defendant from being near or communicating with a victim. Existing law could be read to require a court to issue an order of no contact to every person who is released on pretrial release if there is a victim.

II. Present Situation:

Conditions of Pretrial Release

Section 903.047, Florida Statutes governs the conditions of pretrial release. The conditions include refraining from criminal activity, refraining from contact with the victim, and complying with any other condition imposed.¹ The requirement that a defendant refrain from contact with the victim is implemented through a no contact order. This order includes prohibitions on communicating with the victim, having physical or violent contact with the victim or other named person or his or her property, being within 500 feet of the victim's residence, or being within 500 feet of the victim's place of employment.²

A person who fails to comply with the conditions of pretrial release, if the original arrest was for an act of domestic violence, commits a first degree misdemeanor.³ The statute currently requires that provides the defendant receive a copy of the order of no contact before he or she is released from custody on pretrial release. The order is effective immediately upon issuance and enforceable for the duration of the pretrial release or until modified by the court.

¹ Section 903.047, F.S.

² Section 903.047(1)(b), F.S.

³ Section 741.29(6), F.S.

Statutory Ambiguity

Section 903.047(1)(b), F.S. currently states that “an order of no contact is effective immediately and enforceable for the duration of the pretrial release or until it is modified by the court. The defendant shall receive a copy of the order . . . before the defendant is released.”⁴ One reading of the statute requires a court to enter an order of no contact for all cases for which there is a victim and to serve the defendant with the order before release from jail. Alternatively, the statutory requirement to provide a copy of the no contact order might be read to apply only “if” an order of no contact is issued in a particular case.

2015 No Contact Legislation

The current language of s. 903.047(1)(b), F.S. was enacted through the passage of SB 342 during the 2015 Legislative Session. The bill analysis stated that the intent of SB 342 was to define the basic restrictions imposed on a defendant through a no contact order.⁵ The analysis also states the requirement that order be “effective immediately” was intended to prevent a detainee from making harassing phone calls to a victim while in jail awaiting a pretrial release.

No Contact Condition Case Law

In *Pilgore v. State*, the District Court of Appeal held that evidence was insufficient to establish that defendant was informed of the no contact condition of his pretrial release.⁶ Pilgore had been arrested for beating his wife and was released on bond with the condition of having no contact with the victim pursuant to s. 903.047, F.S.⁷ Subsequently, Pilgore made contact with the victim and was charged with violation of a condition of pretrial release pursuant to s. 741.29, F.S.⁸

The *Pilgore* court found the statute requires the imposition of the no contact condition to be proven by substantial competent evidence in order to convict of the person of the crime.⁹ The statute requires the court to impose the no contact condition on a person charged with domestic violence, but it does not create a presumption the defendant knows that he or she is to have no contact.¹⁰

In 2008, the Fifth DCA again held the state had the burden to prove the defendant received adequate notice of his pretrial no contact condition. In *Sheppard v. State*, the court stated “the state has the burden of proving, by substantial, competent evidence, that the condition was imposed on a defendant charged with domestic violence.”¹¹ The court went on to quote its decision in *Pilgore* to state there is no presumption that the defendant knows that he or she is to have no contact.¹²

⁴ *Id.*

⁵ Staff of S. Comm. on Rules, CS/CS/CS/SB 342, Bill Analysis and Fiscal Impact Statement on No Contact Orders (2015).

⁶ *Pilgore v. State*, 876 So. 2d 591 (Fla. 5th DCA 2004).

⁷ *Id.* at 591-92.

⁸ *Id.* at 592.

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Sheppard v. State*, 974 So. 2d 529, 530 (Fla. 5th DCA 2008).

¹² *Id.* at 530.

Therefore, in order to be convicted of violating a no contact order by a person who was arrested for domestic violence, the state must prove by substantial competent evidence the defendant received constructive notice of the no contact condition laid out in s. 903.047, F.S. It cannot be presumed the defendant is on notice of the no contact condition.

III. Effect of Proposed Changes:

This bill clarifies that courts have the discretion to issue an order of no contact to a person on pretrial release. An order of no contact generally prohibits a defendant from being near or communicating with a victim. Existing law could be read to require a court to issue an order of no contact to every person who is released on pretrial release if there is a victim.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill may result in a reduction in judicial workloads if it reduces the number of no contact orders issued.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends 903.047 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

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

By Senator Simmons

10-01560-16

20161412__

1 A bill to be entitled
 2 An act relating to conditions of pretrial release;
 3 amending s. 903.047, F.S.; requiring that a defendant
 4 be notified in writing if a court issues an order of
 5 no contact rather than receive a copy of the order;
 6 providing an effective date.
 7
 8 Be It Enacted by the Legislature of the State of Florida:
 9
 10 Section 1. Subsection (1) of section 903.047, Florida
 11 Statutes, is amended to read:
 12 903.047 Conditions of pretrial release.—
 13 (1) As a condition of pretrial release, whether such
 14 release is by surety bail bond or recognizance bond or in some
 15 other form, the defendant must:
 16 (a) Refrain from criminal activity of any kind.
 17 (b) Refrain from any contact of any type with the victim,
 18 except through pretrial discovery pursuant to the Florida Rules
 19 of Criminal Procedure. If a court issues an order of no contact,
 20 the order is effective immediately and enforceable for the
 21 duration of the pretrial release or until it is modified by the
 22 court. The defendant shall be notified in writing before he or
 23 she is released from custody on pretrial release ~~receive a copy~~
 24 ~~of the order of no contact,~~ which notification must specify
 25 ~~specifies~~ the applicable prohibited acts ~~before the defendant is~~
 26 ~~released from custody on pretrial release.~~ As used in this
 27 section, unless otherwise specified by the court, the term “no
 28 contact” includes the following prohibited acts:
 29 1. Communicating orally or in any written form, either in
 30 person, telephonically, electronically, or in any other manner,
 31 either directly or indirectly through a third person, with the
 32 victim or any other person named in the order. If the victim and

Page 1 of 2

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10-01560-16

20161412__

33 the defendant have children in common, at the request of the
 34 defendant, the court may designate an appropriate third person
 35 to contact the victim for the sole purpose of facilitating the
 36 defendant’s contact with the children. However, this
 37 subparagraph does not prohibit an attorney for the defendant,
 38 consistent with rules regulating The Florida Bar, from
 39 communicating with any person protected by the no contact order
 40 for lawful purposes.
 41 2. Having physical or violent contact with the victim or
 42 other named person or his or her property.
 43 3. Being within 500 feet of the victim’s or other named
 44 person’s residence, even if the defendant and the victim or
 45 other named person share the residence.
 46 4. Being within 500 feet of the victim’s or other named
 47 person’s vehicle, place of employment, or a specified place
 48 frequented regularly by such person.
 49 (c) Comply with all conditions of pretrial release.
 50 Section 2. This act shall take effect July 1, 2016.

Page 2 of 2

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



The Florida Senate

Committee Agenda Request

To: Senator Miguel Diaz de la Portilla, Chair
Committee on Judiciary

Subject: Committee Agenda Request

Date: January 20, 2016

I respectfully request that **Senate Bill 1412**, relating to Conditions of Pretrial Release, be placed on the:

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

A handwritten signature in black ink, appearing to read "David Simmons".

Senator David Simmons
Florida Senate, District 10

THE FLORIDA SENATE
APPEARANCE RECORD

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

FEB 8, 2016

Meeting Date

1412

Bill Number (if applicable)

Topic Conditions of Pretrial Release

Amendment Barcode (if applicable)

Name Matt Dunagan

Job Title Deputy Director

Address 2617 Mahan Drive

Phone 850-274-3599

Street

Tallahassee

FL

32308

Email mdunagan@flsheriffs.org

City

State

Zip

Speaking: For Against Information

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

Representing Florida Sheriffs 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.

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)

2/8/2016

1412

Meeting Date

Bill Number (if applicable)

Topic Pretrial Release

Amendment Barcode (if applicable)

Name Larry Eger

Job Title Public Defender, 12th Circuit

Address 2071 Ringling Boulevard

Phone 941.861.5500

Street

Sarasota

Florida

34237

Email egersrq@gmail.com

City

State

Zip

Speaking: For Against Information

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

Representing Florida Public Defender Association, Inc.

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

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

218/2016

Meeting Date

Topic _____

Bill Number 1412

Name BRIAN PITTS

(if applicable)

Job Title TRUSTEE

Amendment Barcode _____

Address 1119 NEWTON AVNUE SOUTH

(if applicable)

Street

Phone 727-897-9291

SAINT PETERSBURG FLORIDA 33705

City

State

Zip

E-mail JUSTICE2JESUS@YAHOO.COM

Speaking: For Against Information

Representing JUSTICE-2-JESUS

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

CourtSmart Tag Report

Room: EL 110
Caption: Senate Judiciary

Case No.:
Judge:

Type:

Started: 2/8/2016 1:43:35 PM
Ends: 2/8/2016 3:30:41 PM Length: 01:47:07

1:43:39 PM Roll call by Administrative Assistant, Joyce Butler
1:43:42 PM Quorum Present
1:43:50 PM Introduction of Tab 1, SB 120 by Chair Diaz de la Portilla
1:43:57 PM Explanation of SB 120, Prohibited Discrimination by Senator Abruzzo
1:46:02 PM Comments from Chair Diaz de la Portilla
1:46:06 PM Comments from Senator Joyner regarding explanation of the bill
1:46:23 PM Comments from Chair Diaz de la Portilla
1:46:27 PM Further explanation of bill by Senator Abruzzo
1:47:27 PM Question from Senator Brandes
1:47:50 PM Response from Senator Abruzzo
1:48:18 PM Comments from Chair Diaz de la Portilla
1:48:21 PM Follow-up question from Senator Brandes
1:48:29 PM Response from Senator Abruzzo
1:48:55 PM Follow-up question from Senator Brandes
1:49:04 PM Response from Senator Abruzzo
1:49:21 PM Response from Carlo Guillermo Smith, Governmental Affairs Manager, Equality Florida
1:50:23 PM Follow-up question to Mr. Smith from Senator Brandes
1:50:40 PM Response from Mr. Smith
1:50:50 PM Comments from Senator Brandes
1:51:04 PM Response from Mr. Smith
1:52:24 PM Follow-up question from Senator Brandes
1:52:41 PM Response from Mr. Smith
1:52:58 PM Additional response from Mr. Smith
1:52:58 PM Additional response from Mr. Smith
1:53:16 PM Additional question/comments from Senator Brandes
1:53:52 PM Response from Senator Abruzzo
1:54:07 PM Follow-up question from Senator Brandes
1:54:25 PM Comments from Chair Diaz de la Portilla
1:54:35 PM Response from Staff Director, Tom Cibula
1:55:50 PM Comments from Chair Diaz de la Portilla
1:56:14 PM Response from Mr. Cibula
1:56:27 PM Comments from Chair Diaz de la Portilla
1:56:37 PM Response from Mr. Cibula
1:56:49 PM Comments from Chair Diaz de la Portilla
1:56:59 PM Comments from Senator Brandes
1:57:20 PM Response from Chair Diaz de la Portilla
1:57:30 PM Response from Mr. Cibula
1:57:37 PM Question from Senator Soto
1:58:18 PM Response from Senator Abruzzo
1:58:37 PM Follow-up question from Senator Soto
1:59:00 PM Response from Senator Abruzzo
1:59:25 PM Additional question from Senator Soto

1:59:31 PM Response from Senator Abruzzo
2:00:53 PM Additional question from Senator Soto
2:01:00 PM Response from Senator Abruzzo
2:02:29 PM Question from Senator Bean
2:02:33 PM Response from Senator Abruzzo
2:03:02 PM Question from Senator Stargel
2:03:13 PM Response from Senator Abruzzo
2:03:42 PM Response from Mr. Smith
2:04:53 PM Follow-up question from Senator Stargel
2:05:02 PM Response from Mr. Smith
2:05:16 PM Late-filed Amendment Barcode #131762 introduced by Chair Diaz de la Portilla
2:05:35 PM Explanation of Late-filed Amendment Barcode #131762 by Senator Simmons
2:20:38 PM Comments from Chair Diaz de la Portilla
2:20:45 PM Question from Senator Brandes
2:20:53 PM Response from Senator Simmons
2:23:23 PM Response from Senator Abruzzo
2:24:03 PM Follow-up question from Senator Brandes
2:24:28 PM Response from Mr. Cibula
2:25:13 PM Response from Senator Abruzzo
2:25:31 PM Response from Gina Duncan, Trans Ind. Director
2:27:50 PM Comments from Chair Diaz de la Portilla
2:27:59 PM Question from Senator Benacquisto
2:28:48 PM Response from Senator Simmons
2:32:46 PM Response from Senator Abruzzo
2:33:34 PM Comments from Chair Diaz de la Portilla
2:34:22 PM Motion made by Senator Soto for a time certain time of 3:20
2:34:37 PM Roll call on 3:20 time certain motion by Administrative Assistant, Joyce Butler
2:35:25 PM Motion passes for a 3:20 time certain
2:35:35 PM Question from Senator Ring
2:35:43 PM Response from Senator Abruzzo
2:37:16 PM Response from Senator Simmons
2:39:04 PM Follow-up question from Senator Ring
2:39:13 PM Response from Senator Abruzzo
2:40:27 PM Question from Senator Soto
2:41:01 PM Response from Senator Simmons
2:42:48 PM Follow-up from Senator Soto
2:42:55 PM Response from Senator Simmons
2:44:18 PM Comments from Senator Simpson
2:46:43 PM Response from Senator Abruzzo
2:49:07 PM Comments from Chair Diaz de la Portilla
2:49:55 PM Speaker Michael Rajner
2:51:34 PM Speaker John Stemberger, President/General Counsel, Florida Family Action
2:53:37 PM Speaker Caleb Dalton, Legal Counsel, Alliance Defending Freedom
2:56:09 PM Speaker Linzee Ott, Government Affairs Consultant, CSX waives in support
2:56:22 PM Speaker, Sally Heyman, Commissioner, Miami Dade County
2:57:36 PM Speaker John Tonnison, Executive Vice President and CIO, Tech Data Corporation
2:59:53 PM Speaker Anthony Verdugo
3:02:19 PM Edgar Castro waives in support
3:02:27 PM Speaker Michael Sheedy, Executive Director, Florida Conference of Catholic Bishops in opposition
3:04:00 PM Comments from Senator Abruzzo
3:04:39 PM Speaker Eddie Labraor, Director, Intergovernmental Affairs, Broward County in support

3:05:22 PM Theresa Phillips in opposition
3:05:51 PM Speaker Denise Brogan Kator State Policy Director, Family Equality Council in opposition
3:07:19 PM Senator Ring moves for a 3:15 time certain on the Amendments
3:07:42 PM Question from Senator Bean
3:07:51 PM Comments from Chair Diaz de la Portilla
3:07:59 PM Response from Senator Ring
3:08:03 PM Roll call on all motion on vote on amendments for time certain being heard at 3:15
3:08:20 PM Motion to hear all amendments by 3:15 is adopted
3:08:39 PM Pastor Amando Reyes in opposition, Pastor & Clinical Counselor, Pinellas County Hispanic Pastors Association
3:08:54 PM Brian Lockwood in opposition
3:09:06 PM Evelyn Ramos, Pastor, CFC in opposition
3:09:12 PM Ann Mitchell, Salt & Light Council Wildwood Church in opposition
3:09:26 PM Margarita Jimenez in opposition
3:09:31 PM Susan Migueltorena in support
3:09:41 PM Laura Forster waives in opposition
3:09:47 PM Edgar Jimenez in opposition
3:09:55 PM Bill Snyder waives in opposition
3:10:01 PM Barry Webster, Celebration Baptist Church waives in opposition
3:10:13 PM Barbara DeVane waives in support
3:10:25 PM Rosalin Malave-Marrero waives in opposition
3:10:33 PM Gabriel Garcia Vera waives in support
3:10:43 PM Tiffanie Webster waives in opposition
3:10:49 PM Jason King, Legislative Affairs Manager, AIDS Healthcare Foundation waives in support
3:10:58 PM Terry Dudley waives in opposition
3:11:06 PM Jose Hilario waives in opposition
3:11:16 PM Rev. Vince Amlin Minister, United Church of Gainesville waives in support
3:11:24 PM Jeannette Rivera waives in opposition
3:11:35 PM Ylena Quinons waives in opposition
3:11:52 PM Nyah Vanterpool waives in support
3:12:01 PM Edwin Marrezo waives in opposition
3:12:09 PM David Johnson, Jacksonville Coalition for Equality waives in support
3:12:13 PM Zonia E. Ponce waives in opposition
3:12:19 PM Enoch Commey waives in opposition
3:12:35 PM John Faith, Executive Director, Global Operations & Client Services, DTCC Tampa waives in support
3:12:49 PM Pastor Terry Weems waives in opposition
3:12:55 PM Nadine Smith, CEO/Executive Director, Equality Florida waives in support
3:13:08 PM Benjamin Hale waives in opposition
3:13:16 PM Patrick Slevin, Campaign Manager, Florida Businesses for a Competitive Workforce waives in support
3:13:27 PM Deshauntra Johnson waives in opposition
3:13:33 PM Bob Swindell, President/CEO, Greater Fort Lauderdale Alliance waives in support
3:13:46 PM Faith Burling waives in opposition
3:13:50 PM Christopher Gassett, SVP an Assistant General Counsel, HSN, Inc. waives in support
3:13:59 PM Thaddeus McLaurin waives in opposition
3:14:04 PM Adam Babington waives in support
3:14:20 PM Gerald Wilson waives in opposition
3:14:28 PM Ramon Tirade waives in opposition
3:14:34 PM Pam Olsen waives in opposition
3:14:40 PM Juan Carlos Flores, Regional Vice President of Governmental Affairs, AT&T waives in

support

3:14:52 PM Josue Colon waives in opposition

3:14:57 PM Bethany Linderman, Government Relations Policy Consultant, Florida Blue waives in support

3:15:05 PM Aramando Pomar waives in opposition

3:15:10 PM Vani Ungapen, Director of Global Business and Legislative Research, Florida Realtors waives in support

3:15:20 PM Martha H. Chumbler, Attorney, Carlton Fields waives in support

3:15:28 PM Rev. Charlene Cothran, Christian Family Coalition waives in opposition

3:15:50 PM Motion to extend Appearance Record for 2 minutes per Chair Diaz de la Portilla

3:15:52 PM J.C. Flores, Vice President Governmental Affairs, AT&T waives in support

3:15:57 PM Cathy Fruit, Legislative Liaison, Concerned Women for America of Florida waives in opposition

3:16:01 PM Rev. Abraham Rivera, South Florida Hispanic Minister's Association waives in opposition

3:16:10 PM Sandra O'Neal waives in opposition

3:16:15 PM Rich Templin, Florida AFL-CIO waives in support

3:16:16 PM Rev. Marilyn Rivera, Mission Miami waives in support

3:16:19 PM Jim Aiken, Executive Director, National Association of Social Workers waives in support

3:16:32 PM Amber Kelly waives in opposition

3:16:36 PM Bill Bunkley, Florida Ethics & Religious Liberty waives in opposition

3:16:44 PM Chris Walker, South Lake Pastors Association waives in opposition

3:16:48 PM Daniel Williams, Kingdom Covenant Fellowship waives in opposition

3:16:52 PM Gilberto Rodriguez waives in opposition

3:16:56 PM Alison Carter waives in opposition

3:17:03 PM Raymond Babier waives in opposition

3:17:06 PM Tim Mears waives in opposition

3:17:10 PM Suzanne Dietrich waives in opposition

3:17:16 PM Venus Ball waives in opposition

3:17:19 PM Leah Fuaga waives in opposition

3:17:21 PM Julia Reid waives in opposition

3:17:26 PM Alice Allen waives in opposition

3:17:28 PM Connie Hampton waives in opposition

3:17:31 PM Debra Barnes waives in opposition

3:17:33 PM Desarae Hardaway waives in opposition

3:17:37 PM Ron Watson, Lobbyist, Florida CHAIN waives in support

3:17:40 PM Courtney Gager waives in opposition

3:17:45 PM Pastor Cesareo O. Migueltorella

3:17:49 PM Favio Cardona waives in opposition

3:17:53 PM Gloria Rivera waives in opposition

3:17:54 PM Pastor Edgar Gomez waives in opposition

3:17:56 PM Richard Joly waives in opposition

3:17:58 PM Justin McGee waives in opposition

3:18:02 PM Micheal S. King waives in support

3:18:06 PM Janin Santa waives in opposition

3:18:08 PM Brian Pitts for information

3:18:14 PM Sean Stanley waives in support

3:18:18 PM Samira Obeid, New Media Manager, Equality Florida waives in support

3:18:22 PM Jason King, Legislative Affairs Manager, AIDS Healthcare Foundation waives in opposition of Simmons amendment

3:18:40 PM Guttenberg Pierre, Consultant Positively U, Inc. waives in opposition

3:18:42 PM Has Min Yang waives in opposition

3:18:46 PM Michael Heller waives in opposition
3:18:49 PM Denisse M. waives in opposition
3:18:52 PM Jose Alas
3:18:54 PM Yvette Jones Realtor waives in opposition
3:18:57 PM Jan Johnson waives in opposition
3:18:59 PM Samuel Jones
3:19:07 PM Rich Templin, Florida AFL-CIO waives in opposition
3:19:17 PM Romel Santos Lopez waives in opposition
3:19:18 PM Griselda Baxcajey waives in opposition
3:19:19 PM Laticia Perez waives in opposition
3:19:20 PM Cristina Maye waives in opposition
3:19:21 PM Greg Pound for information
3:19:22 PM Pastor Moises Secundino-Trejo waives in opposition
3:19:23 PM Sara Gomez waives in opposition
3:19:24 PM Rev. Victor M. Ramos waives in opposition
3:19:25 PM Victoria Galvan waives in support
3:19:26 PM Linda Mashburn waives in opposition
3:19:28 PM Amy Wells waives in opposition
3:19:31 PM Katie Wells waives in opposition
3:19:35 PM Sarah Wells waives in opposition
3:19:38 PM Matthew "Moses" Alexandre waives in opposition
3:19:56 PM Howard Proctor waves in opposition
3:19:59 PM Natasha Oquendo waives in opposition
3:20:02 PM Jason King, Legislative Affairs Manager, AIDS Healthcare Foundation waives in opposition
3:20:04 PM Richard Turner, General Counsel, Florida Restaurant and Lodging Association waives in support
3:20:09 PM Christopher Gasset, Senior Vice President & Assistant General Counsel, HSN, Inc. waives in opposition
3:20:10 PM Jean David Parlier waives in support
3:20:15 PM Veronica Wilson waives in support
3:20:20 PM Janet Kitchen waives in opposition
3:20:25 PM Amber Paoloemilio waives in support
3:20:36 PM Comments from Senator Abruzzo
3:21:07 PM Amendment to Amendment Barcode #906078 by Senator Stargel
3:21:28 PM Explanation of Amendment to Amendment Barcode #906078 by Senator Stargel
3:21:39 PM Comments from Senator Abruzzo in opposition of Amendment
3:21:58 PM Roll call on Amendment to Amendment Barcode #906078 by Administrative Assistant Joyce Butler
3:22:12 PM Amendment to Amendment fails
3:22:35 PM Roll call on Senator Simmons Amendment Barcode # 131762 by Administrative Assistant Joyce Butler
3:23:01 PM Amendment Barcode #131762 adopted
3:23:25 PM Amendment Barcode #828464 introduced by Chair Diaz de la Portilla
3:23:36 PM Explanation of Amendment Barcode #828464 by Senator Bean
3:23:54 PM Question from Senator Joyner
3:24:09 PM Comments from Chair Diaz de la Portilla
3:24:18 PM Roll call on CS/SB 120 by Administrative Assistant Joyce Butler
3:24:43 PM Vote fails on a tie vote
3:25:02 PM Question from Senator Ring
3:25:17 PM Comments from Chair Diaz de la Portilla
3:25:30 PM Comments from Senator Brandes

3:25:38 PM Motion adopted to TP'd
3:25:53 PM Tab 2, SB 50 introduced by Chair Diaz de la Portilla
3:25:58 PM Explanation of Tab 2, SB 50, Relief of Altavious Carter by Palm Beach County School Board by Senator Flores
3:26:27 PM Comments from Chair Diaz de la Portilla
3:26:35 PM Senator Flores waives closure
3:26:39 PM Roll call on SB 50 by Administrative Assistant Joyce Butler
3:26:51 PM SB 50 reported favorably
3:27:01 PM Motion to reconsider by the chair in standard by Senator Simmons
3:27:54 PM Motion for SB 120 to be on 2-9-16 agenda
3:28:08 PM Tab 2, SM 1642 introduced by Chair Diaz de la Portilla
3:28:16 PM Explanation of Tab 3 SM 1642, Cuban Adjustment Act of 1966 by Senator Garcia
3:28:33 PM Senator Garcia waives closure
3:28:38 PM Roll call on SM 1642 by Administrative Assistant, Joyce Butler
3:28:43 PM SM 1642 reported favorably
3:29:05 PM Motion by Senator Soto in support of SM 1642
3:29:20 PM Tab 4, SB 1244 introduced by Chair Diaz de la Portilla
3:29:27 PM Explanation of SB 1244, Driving Under the Influence by Senator Simmons
3:29:33 PM Roll call on SB 1244 by Administrative Assistant Joyce Butler
3:29:40 PM SB 1244 reported favorably
3:29:56 PM Tab 5, SB 1412 introduced by Chair Diaz de la Portilla
3:30:02 PM Roll call on SB 1412 by Administrative Assistant Joyce Butler
3:30:10 PM SB 1412 reported favorably
3:30:24 PM Senator Simmons moves to adjourn without objection