



# Journal of the Senate

Number 1—Regular Session

Tuesday, March 8, 2011

Beginning the Forty-third Regular Session of the Legislature of Florida convened under the Florida Constitution as revised in 1968, and subsequently amended, and the 113th Regular Session since Statehood in 1845, at the Capitol, in the City of Tallahassee, Florida, on Tuesday, the 8th of March, A.D., 2011, being the day fixed by the Constitution of the State of Florida for convening the Legislature.

## CONTENTS

Address by President . . . . . 2  
 Address by the Governor . . . . . 13  
 Call to Order . . . . . 1, 3  
 Certificate Received . . . . . 1  
 Committee Substitutes, First Reading . . . . . 109  
 Committees of the Senate . . . . . 155  
 Communication . . . . . 155  
 Enrolling Reports . . . . . 156  
 Executive Business, Appointments . . . . . 126  
 Executive Business, Appointments Withdrawn . . . . . 121  
 Executive Business, Suspensions . . . . . 120  
 House Messages, Final Action . . . . . 155  
 Introduction and Reference of Bills . . . . . 15  
 Joint Session . . . . . 13  
 Moment of Silence . . . . . 1, 5  
 Motion . . . . . 2  
 Motions Relating to Committee Reference . . . . . 13  
 Oath of Office Administered . . . . . 2  
 Recess . . . . . 3, 13, 156  
 Reference Changes, Rule 4.7(2) . . . . . 116  
 Reports of Committees . . . . . 116  
 Resolutions . . . . . 4  
 Rules of the Senate . . . . . 128  
 Senate Pages . . . . . 156  
 Special Guests . . . . . 2, 13  
 Special Order Calendar . . . . . 5  
 Special Performance . . . . . 1, 13  
 Subcommittee Reference . . . . . 108  
 Supreme Court Certification . . . . . 127  
 Vetoes Bills . . . . . 119

## CALL TO ORDER

The Senate was called to order by President Haridopolos at 10:00 a.m.  
A quorum present—38:

Mr. President	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Excused: Senators Alexander and Bullard

## PRAYER

The following prayer was offered by Staff Sergeant Andrew Wildes. Staff Sergeant Wildes is an Operation Iraqi Freedom Veteran, having deployed from September 2004 through November 2005, earning a meritorious service medal for his actions:

Let us pray.

Heavenly Father, we come before you today as the citizens of this great state, facing uncertain times. We pray for wisdom and courage over this legislative body as it faces difficult decisions that will have a direct impact on so many people. May this session yield a renewed sense of hope.

We pray that the leaders before us today have the ability to guide us into prosperity. God bless this Senate and bless the great State of Florida. In your most heavenly name, we pray. Amen.

## PLEDGE

Sergeant First Class Andrew Riehle led the Senate in the pledge of allegiance to the flag of the United States of America. Sergeant First Class Riehle is an Operation Iraqi Freedom Veteran, serving one deployment in Iraq from March 2003 through mid-2004. He was awarded the Combat Infantry Badge. He also served in Kuwait from January to December 2010, where he earned a meritorious service medal.

## DOCTOR OF THE DAY

The President recognized Dr. Stephen Badolato of Indian Harbour Beach, who he sponsored, as doctor of the day. Dr. Badolato specializes in Family Practice and Sports Medicine.

## MOMENT OF SILENCE

President Haridopolos asked the Senate to observe a moment of silence for Senator Bullard, who is at home recovering from an illness.

## SPECIAL PERFORMANCE

President Haridopolos introduced Harry Burney, a creative consultant for the New York Public School System, the Brooklyn Library System, and Walt Disney World Entertainment. He was also Artist-in-Residence at the Museum of Arts and Sciences as well as at Bethune-Cookman College in Daytona Beach, performing and developing ethnomusicology projects. Mr. Burney sang *America the Beautiful*.

## CERTIFICATE RECEIVED

The Secretary announced that the Honorable Kurt S. Browning, Secretary of State, had certified the election of Senator Oscar Braynon II as follows:

STATE OF FLORIDA  
DEPARTMENT OF STATE  
DIVISION OF ELECTIONS

I, **KURT S. BROWNING**, Secretary of State of the State of Florida, do hereby certify that the following candidate was duly elected at the Special General Election held on the First day of March, A.D., 2011, to the office of Member, State Senate, as shown by the records of this office:

SENATE  
DISTRICT      ELECTED SENATOR

33              Oscar Braynon II



GIVEN under my hand and the Great Seal of the State of Florida, at Tallahassee, the Capital, this the 7th day of March, A.D., 2011

*Kurt S. Browning*  
SECRETARY OF STATE

#### OATH OF OFFICE ADMINISTERED

The oath of office was administered by Senator Braynon's uncle, the Honorable Harold L. Braynon, former Municipal Court Judge.

#### MOTION

On motion by Senator Thrasher, Rule 3.7 was waived and 12:00 noon, March 18, 2011, was established as the deadline for Senator Braynon to file bills for introduction.

#### SPECIAL GUESTS

President Haridopolos introduced the following guests: Governor Rick Scott and his wife, Ann; Lieutenant Governor Jennifer Carroll, former Representative; Commissioner of Agriculture Adam Putnam, former Congressman; and Chief Financial Officer Jeff Atwater, former Senate President.

President Haridopolos announced that in addition to former Senate President Gwen Margolis, who still serves in the Senate, the Senate was honored by the presence of the following former Senate Presidents: Tom Lee and his wife, Laurel; Jim Scott; and John Vogt.

President Haridopolos also recognized former Senators Dave Aronberg; Al Lawson; Steve Geller; Carey Baker; Burt Saunders; Curt Kiser; John Grant; Ron Silver; Van Poole; and Congressman Daniel Webster.

President Haridopolos recognized Senator Sobel, who acknowledged Dr. Stephanie Haridopolos, First Lady of the Florida Senate, and all Senate spouses present in the chamber.

President Haridopolos introduced his parents, Ernie and Georgia Haridopolos, who were present in the gallery.

On motion by Senator Thrasher, by unanimous consent—

By Senator Thrasher—

**SCR 6000**—A concurrent resolution providing that the Senate and the House of Representatives convene in Joint Session for the purpose of receiving a message from the Governor.

WHEREAS, His Excellency, Governor Rick Scott, has expressed a desire to address the Legislature in Joint Session, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:*

That the Senate and the House of Representatives convene in Joint Session in the Chamber of the House of Representatives at 5:30 p.m. this day, March 8, 2011, for the purpose of receiving a message of the Governor.

—was introduced out of order and read the first time in full. On motions by Senator Thrasher, by two-thirds vote **SCR 6000** was read the second time by title, unanimously adopted and immediately certified to the House.

#### REMARKS BY PRESIDENT MIKE HARIDOPOLOS

In November, 1942, after three grim years of defeat, the British won a great victory in North Africa that proved to be a turning point in World War II. Winston Churchill famously said at the time that it was not the end, or even the beginning of the end. But, perhaps, it was the end of the beginning.

For more than three years—for what seems like forever—Florida has been battered by an economic storm the likes of which has not been seen since the Great Depression. Life savings have been swept away as families looked on helplessly. Wave after wave of home foreclosures have washed over us. Unemployment has mounted higher and higher still, month after month, year after year. And government revenues at every level have plummeted, rendering budgetary fat an unaffordable luxury, which is good, and necessitating cuts to the bone and beyond, which is not.

We are certainly not at the end of this recession, but I hope we can go Churchill one better—perhaps we are at the beginning of the end. There is hardship yet to be endured, hard decisions yet to be made. Too many homes still teeter on the edge of foreclosure. Too many people who want work still cannot find work. And we will cut billions more from the state budget at a time when unfunded mandates from the Federal government and the needs of our citizens demand more from us, not less.

So, if it is true that adversity builds character, then every one of you can count on being a much better person by the time we adjourn in 60 days. I believe it is not too early for us to take stock, to reflect on the lessons of the recession as they apply to our state government, and to chart a new course for the future.

I recognize that we are bit players in the international economic drama. In fact, it is doubtful that we alone can do much to impact the national economy in all its vastness and complexity.

But, fortunately, we are not alone. We may rely upon the fact that our colleagues in Congress and our brethren in every state legislature share our goals of prosperity with justice, and freedom with security. And we can be sure that farmers in Nebraska are not so very different from construction workers in Florida in the ways that matter most.

Edmund Burke wrote that the building blocks of any community, of every nation, are the little platoons—families, churches, charities, civic organizations. We are just such a little platoon in the big picture of things. But if we do our part, and others do theirs, then together we will achieve our shared goals as a people, as a state, and as a nation.

But, what is to be done? I say let's shoot the sharks nearest the boat first. Let's concentrate on what we can reasonably expect to accomplish today without dissipating our energy and losing our focus in futile pursuit of things that ought to be done some day.

For it is written: "Therefore do not worry about tomorrow, for tomorrow will worry about its own things. Sufficient for the day is its own troubles." This is great advice, probably because Matthew had it on pretty good authority.

The troubles we face today are the programmatic remnants of a government that was too large, too complacent and too wasteful. A government whose structural weaknesses were harshly exposed by the stress test that is this recession. We will have countless opportunities this year to address these troubles.

But my personal priorities for this session can be summed up as the two Rs—Reform and Restraint. When looking at opportunities for reform, two leap out at me.

**Pension Reform and Medicaid Reform**

First, we must reform the Florida Retirement System. Defined benefit plans are rapidly becoming a thing of the past. This has already happened in the private sector because of their prohibitive cost. And unlike most other states we have defined benefit plans, to which the public employees make no contributions. This is the dinosaur we have nurtured in Florida.

Make no mistake: I yield to no one in my high regard for our public employees. My experience is that these men and women are able and dedicated professionals, and I am grateful for their hard work, as we all should be. But while public service may be a calling, it is still a job, not a magic cloak that can hide one from reality.

Pension reform must be a priority this year. Medicaid reform is essential. I applaud Speaker Cannon for his leadership on this issue. Senators Negron, Gaetz and Garcia have already done outstanding work. We can realize the savings that result from competition and managed care in Medicaid without sacrificing quality and always putting patients first. This is a massive undertaking, a real paradigm shift. But coming to grips with Medicaid is a duty we cannot shirk. The increasing Medicaid population, rising health care costs, and unfunded Federal mandates have created a black hole that will swallow the state budget sooner than later if we do not act promptly.

My second R, restraint, may be a goal more difficult to achieve than reform. It is always hard to change long-standing programs and laws, each with its own powerful and vocal constituency. But changing ourselves is something else altogether. Anyone knows what I mean if they have ever tried to lose weight, stop smoking, exercise regularly or in the case of most politicians, listen when someone else is talking. And while we have done much better of late, primarily because of necessity, restraint has not historically been one of the distinguishing characteristics of any legislature. But it is my belief that we can learn restraint, and even institutionalize it in some cases. We must, of course, continue to hold the line against new taxes, however great the strain. I doubt any of you thinks that now is the time to increase the tax burden of Floridians. I know most of us believe that the appropriate frequency of tax increases roughly coincides with appearances of Haley's comet. And I agree with you; taxes have no more ruthless enemy than me. Whether we can actually reduce taxes, at the present time, in a responsible way, remains to be seen. If anyone can show me how we can realistically feed the increasing multitude with even fewer fish and less bread than we have now, then I will gladly follow him.

Another area where restraint can go a long way in aiding recovery is what I think of as responsible regulation. I compliment Governor Scott for his bold initiatives in this area. He can count on my unstinting support for vetting our regulations past and future with new standards based on real need and common sense. When it comes to regulation, government should require no more of its people than their actual health, safety and welfare demands. More than that is meddling, and arrogance to boot. When it comes to regulation, my personal belief is less is more and a little humility will go a long way. And speaking of humility and restraint, the legislature has room to show more respect in its dealings with local governments than it has during the past decade.

We say we believe in the principle of representative democracy, in home rule, but it is a principle more often honored in the breach than in the observance.

Our hands certainly are not clean on this issue. But the arrogance and reckless disregard for unfunded mandates with which the new Federal health care regime has been imposed on us has made me re-think relations between state and local governments. I have a renewed appreciation for home rule. And what is good for the goose is good for the gander. So let's not roll anything downhill to DeLand, DeBary, and DeFuniak Springs this session.

My final priority under the R of restraint is a meaningful statutory limitation on state spending coupled with new reserves that will help soften the blow of the next economic downturn. There is a state spending limitation currently on the books, but the fact that it has never operated

to limit one dime in spending is proof positive of its inadequacy. I call my plan Smart Cap, because it is both. But it could be called the Old Testament Option, as the concept was originally Joseph's. In the good years, don't eat all the corn. Save some, so that in the bad years you don't have to eat sand. Very wise, and very much needed if we do not want our spending in the past to be the prologue to our spending in the future.

Smart Cap is also an opportunity to walk the walk on home rule. We will lead by example, not coercion. Smart Cap will apply only to state government. Local governments will choose their own paths in consultation with their constituents.

The agenda I have outlined is an ambitious one. Getting good grades in the two Rs will not be easy. But I know we are up to it. Experience tells me that.

For three years we have labored mightily to meet the challenges of this recession. I am proud of the job we and our colleagues in the House, led by Dean Cannon, have done in cutting spending, holding down taxes, and preserving needed services under tremendous pressure.

But as I said at the outset, we are only at the beginning of the end, and there is much more to be done. So, I welcome to the job all those who are just now getting to work. There cannot be too many willing hands turned to the task before us.

So, on this opening day...I close by saying to you: "Once more into the breach, dear friends...once more."

**COMMITTEE APPOINTED**

On motion by Senator Bennett that a committee be appointed to notify the House of Representatives that the Senate was convened and ready to proceed to the business of the session, the President appointed Senator Bennett, Chair; and Senators Braynon; Latvala; Sachs; and Storms. The committee was excused.

**COMMITTEE DISCHARGED**

The committee appointed to notify the House of Representatives appeared at the bar of the Senate and reported to the President that its duty had been performed. The committee was thanked for its service and discharged.

**COMMITTEE RECEIVED**

A committee from the House of Representatives composed of Representative T. Williams, Chair; and Representatives Kreegel; Glorioso; Porth; and Sands was received and informed the Senate that the House of Representatives was convened and ready to proceed to the business of the session. The committee then withdrew from the chamber.

**RECESS**

On motion by Senator Thrasher, the Senate recessed at 11:04 a.m. to reconvene at 3:00 p.m. or upon call of the President.

**AFTERNOON SESSION**

The Senate was called to order by President Haridopolos at 3:02 p.m. A quorum present—38:

Mr. President	Evers	Latvala
Altman	Fasano	Lynn
Benacquisto	Flores	Margolis
Bennett	Gaetz	Montford
Bogdanoff	Garcia	Negron
Braynon	Gardiner	Norman
Dean	Hays	Oelrich
Detert	Hill	Rich
Diaz de la Portilla	Jones	Richter
Dockery	Joyner	Ring

Sachs	Smith	Thrasher
Simmons	Sobel	Wise
Siplin	Storms	

### ADOPTION OF RESOLUTIONS

On motion by Senator Joyner—

By Senator Joyner—

**SR 1442**—A resolution commending Dolores Keen, Rose Louis-Paul Dodson, and Renee Roundtree as Women of Great Valor.

WHEREAS, Dolores Keen, Rose Louis-Paul Dodson, and Renee Roundtree demonstrated tremendous valor and bravery through their actions in the early morning hours of June 29, 2010, when they witnessed the shooting of two officers from the Tampa Police Department, and

WHEREAS, upon hearing gunfire, Dolores Keen called 911 without hesitation to report to the Tampa Police Department that two officers had been shot by an unknown assailant, and

WHEREAS, Rose Louis-Paul Dodson and Renee Roundtree ran to the aid of the fallen officers, Officer David Curtis and Officer Jeffrey Kocab, in an effort to offer lifesaving assistance and comfort as they lay dying, and

WHEREAS, these upstanding citizens truly “did the right thing” without concern for their personal welfare in a community where such incidents are more often ignored due to the potential for criticism, retribution, and threat of being ostracized by neighbors, friends, family members of the perpetrator, or gangs, and

WHEREAS, through their actions, Dolores Keen, Rose Louis-Paul Dodson, and Renee Roundtree have set a premier example of valor, bravery, and most of all, human compassion, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Senate does pause in its deliberations to pay its respects to Dolores Keen, Rose Louis-Paul Dodson, and Renee Roundtree for their brave actions of human compassion and kindness which set an exemplary standard for every person, young and old, throughout the State of Florida, thereby creating a better quality of life for every man, woman, and child in this great state.

—was introduced out of order and read by title. On motion by Senator Joyner, **SR 1442** was read the second time in full and adopted.

On motion by Senator Diaz de la Portilla—

By Senator Diaz de la Portilla—

**SR 820**—A resolution honoring the memory of Officer Roger Castillo and Officer Amanda Haworth of the Miami-Dade County Police Department.

WHEREAS, on January 20, 2011, Officer Roger Castillo of Davie, Florida, a 21-year veteran of the Miami-Dade County Police Department, and Officer Amanda Haworth of Miramar, Florida, a 23-year veteran of the Miami-Dade County Police Department, were shot and killed by a violent fugitive as they attempted to execute a homicide warrant in Miami, Florida, and

WHEREAS, Officer Castillo, who was 41 years of age, leaves behind a wife, Debbie, and three sons, and Officer Haworth, who was 44 years of age, leaves behind a 13-year-old son, and

WHEREAS, Officer Castillo and Officer Haworth risked their lives for the greater good of their community by promoting a safe and secure environment that was free from crime, and

WHEREAS, in the daily performance of their duties as law enforcement officers, Officer Castillo and Officer Haworth not only upheld the principles and values embodied in the United States Constitution and the Constitution of the State of Florida, they also honored the mission

statement of the Miami-Dade County Police Department by practicing the department’s core values of integrity, respect, service, and fairness throughout their careers and by committing themselves to the highest performance standards, ethical conduct, and truthfulness in all of their relationships, and

WHEREAS, throughout our nation’s history, nearly 19,000 members of the law enforcement community have made the ultimate sacrifice and given their lives while providing for the safety and protection of others, and

WHEREAS, in honoring the lives of Officer Roger Castillo and Officer Amanda Haworth for their valiant dedication, sacrifice, and service to the south Florida community, we should also be reminded of the tens of thousands of law enforcement officers who have died similarly in the line of duty and of those law enforcement officers who serve our communities every day to provide for our safety and protection, at risk of the same peril, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Florida Senate, with great sadness, marks the tragic and untimely passing of Officer Roger Castillo and Officer Amanda Haworth of the Miami-Dade County Police Department.

BE IT FURTHER RESOLVED that the Florida Senate extends its deepest sympathy and condolences to the families of each officer, and hereby honors Officer Roger Castillo and Officer Amanda Haworth for their 44 years of dedicated service as law enforcement officers to the citizens of Miami-Dade County.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the families of Officer Roger Castillo and Officer Amanda Haworth as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Diaz de la Portilla, **SR 820** was read the second time in full and adopted.

On motion by Senator Sobel—

By Senators Sobel and Gaetz—

**SR 192**—A resolution encouraging the donation of surplus fire equipment and materials to Florida’s volunteer fire departments.

WHEREAS, about 80 percent of the fire departments in the United States are manned by volunteers, and

WHEREAS, surplus fire equipment and materials have been donated to countries overseas by municipal and other fire departments, and

WHEREAS, the expenses of volunteer fire departments in this state could be lessened by almost half by such donations, and

WHEREAS, the equipment and materials paid for by taxpayers should be donated to sister fire departments in this state, and

WHEREAS, the City of Hallandale Beach, the Broward County League of Cities, the Florida League of Cities, the United States Conference of Mayors, and the National League of Cities have adopted resolutions encouraging the donation of surplus fire equipment and materials to domestic volunteer fire departments, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Florida Senate strongly encourages the donation of surplus fire equipment and materials to Florida’s volunteer fire departments.

—was introduced out of order and read by title. On motion by Senator Sobel, **SR 192** was read the second time in full and adopted.

On motion by Senator Fasano—

By Senator Fasano—

**SR 294**—A resolution recognizing February 6, 2011, as “Ronald Reagan Day” in the State of Florida.

WHEREAS, President Ronald Wilson Reagan, a man of humble background, worked throughout his life serving freedom and advancing the public good as an entertainer, union leader, corporate spokesperson, governor of California, and, ultimately, President of the United States, and

WHEREAS, Ronald Reagan served with honor and distinction for two terms as the 40th president of the United States, winning the popular vote in 49 of the 50 states prior to his second term — a record unsurpassed in the history of American presidential elections — and earning the confidence of three-fifths of the electorate, and

WHEREAS, in 1981, when Ronald Reagan was inaugurated President, he inherited a disillusioned nation that was shackled by rampant inflation and high unemployment, and

WHEREAS, during his presidency, Ronald Reagan worked in a bipartisan manner to enact his bold agenda of restoring accountability and common sense to government, which led to unprecedented economic expansion and opportunity for millions of Americans, and

WHEREAS, Ronald Reagan’s commitment to an active social policy agenda for the nation’s children helped lower crime and drug use in neighborhoods, and

WHEREAS, Ronald Reagan’s commitment to the Armed Forces contributed to the restoration of pride and values in America and to those values cherished by the free world, and prepared this nation’s Armed Forces to meet 21st Century challenges, and

WHEREAS, Ronald Reagan’s vision of “peace through strength” led to the end of the Cold War and the ultimate demise of the Soviet Union, guaranteeing basic human rights for millions of people, and

WHEREAS, February 6, 2011, is the 100th anniversary of Ronald Reagan’s birth, and the 7th since his passing, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That February 6, 2011, is recognized as “Ronald Reagan Day” in the State of Florida.

—was introduced out of order and read by title. On motion by Senator Fasano, **SR 294** was read the second time in full and adopted.

On motion by Senator Storms—

By Senator Storms—

**SR 1134**—A resolution recognizing the Florida Guardian ad Litem Program for its commitment and many years of service representing the dependent children of this state.

WHEREAS, the Florida Guardian ad Litem Program’s sole mission is to represent the best interests of abused and neglected children involved in dependency court proceedings, and

WHEREAS, for more than 30 years, the Florida Guardian ad Litem Program has provided independent advocacy for hundreds of thousands of dependent children in this state, and

WHEREAS, the Florida Guardian ad Litem Program coordinates and oversees the work of nearly 8,000 volunteers, and

WHEREAS, studies have shown that children in the dependency system have greatly benefited from participation in the Florida Guardian ad Litem Program, with volunteers not only serving in an advocacy role, but also serving as educational surrogates, and

WHEREAS, each year volunteers with the Florida Guardian ad Litem Program donate time, services, and support worth millions of dollars to this state and provide an invaluable service to dependency court judges, and

WHEREAS, the Florida Guardian ad Litem Program strives to achieve permanency for children in the dependency system and has played a key role in making this state the national leader in adoption, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Florida Guardian ad Litem Program is commended for its many years of service representing the best interests of Florida’s dependent children.

—was introduced out of order and read by title. On motion by Senator Storms, **SR 1134** was read the second time in full and adopted.

**MOMENT OF SILENCE**

The President recognized Senator Dean who asked the Senate to observe a moment of silence for the fallen soldier, Corporal Johnathan W. Taylor, 23, of Homosassa, who died while conducting combat operations in Helmand Province, Afghanistan. Corporal Taylor was assigned to the 2nd Battalion, 8th Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force, Camp Lejeune, N.C. He was a graduate of Lecanto High School.

**SPECIAL ORDER CALENDAR**

On motion by Senator Thrasher, by two-thirds vote—

**SCR 1202**—A concurrent resolution establishing the Joint Rules of the Florida Legislature for the 2010-2012 term.

*Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:*

That the following joint rules shall govern the Florida Legislature for the 2010-2012 term:

**JOINT RULES**

**Joint Rule One—Lobbyist Registration and Compensation Reporting**

1.1—Those Required to Register; Exemptions; Committee Appearance Records

(1) All lobbyists before the Florida Legislature must register with the Lobbyist Registration Office in the Division of Legislative Information Services of the Office of Legislative Services. Registration is required for each principal represented.

(2) As used in Joint Rule One, unless the context otherwise requires, the term:

(a) “Compensation” means payment, distribution, loan, advance, reimbursement, deposit, salary, fee, retainer, or anything of value provided or owed to a lobbying firm, directly or indirectly, by a principal for any lobbying activity.

(b) “Division” means the Division of Legislative Information Services within the Office of Legislative Services.

(c) “Legislative action” means introduction, sponsorship, testimony, debate, voting, or any other official action on any measure, resolution, amendment, nomination, appointment, or report of, or any matter that may be the subject of action by, either house of the Legislature or any committee thereof.

(d) “Lobby” or “lobbying” means influencing or attempting to influence legislative action or nonaction through oral or written communication or an attempt to obtain the goodwill of a member or employee of the Legislature.

(e) “Lobbying firm” means any business entity, including an individual contract lobbyist, that receives or becomes entitled to receive any compensation for the purpose of lobbying and where any partner, owner, officer, or employee of the business entity is a lobbyist. “Lobbying firm” does not include an entity that has employees who are lobbyists if the entity does not derive compensation from principals for lobbying or if such compensation is received exclusively from a subsidiary or affiliate corporation of the employer. As used in this paragraph, an affiliate corporation is a corporation that directly or indirectly shares the same

ultimate parent corporation as the employer and does not receive compensation for lobbying from any unaffiliated entity.

(f) “Lobbyist” means a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity. An employee of the principal is not a “lobbyist” unless the employee is principally employed for governmental affairs. “Principally employed for governmental affairs” means that one of the principal or most significant responsibilities of the employee to the employer is overseeing the employer’s various relationships with government or representing the employer in its contacts with government. Any person employed by the Governor, the Executive Office of the Governor, or any executive or judicial department of the state or any community college of the state who seeks to encourage the passage, defeat, or modification of any legislation by personal appearance or attendance before the House of Representatives or the Senate, or any member or committee thereof, is a lobbyist.

(g) “Payment” or “salary” means wages or any other consideration provided in exchange for services but does not include reimbursement for expenses.

(h) “Principal” means the person, firm, corporation, or other entity that has employed or retained a lobbyist. When an association has employed or retained a lobbyist, the association is the principal; the individual members of the association are not principals merely because of their membership in the association.

(i) “Unusual circumstances,” with respect to any failure of a person to satisfy a filing requirement, means uncommon, rare, or sudden events over which the person has no control and which directly result in the failure to satisfy the filing requirement.

(3) For purposes of this rule, the terms “lobby” and “lobbying” do not include any of the following:

(a) Response to an inquiry for information made by any member, committee, or staff of the Legislature.

(b) An appearance in response to a legislative subpoena.

(c) Advice or services that arise out of a contractual obligation with the Legislature, a member, a committee, any staff, or any legislative entity to render the advice or services where such obligation is fulfilled through the use of public funds.

(d) Representation of a client before the House of Representatives or the Senate, or any member or committee thereof, when the client is subject to disciplinary action by the House of Representatives or the Senate, or any member or committee thereof.

(4) For purposes of registration and reporting, the term “lobbyist” does not include any of the following:

(a) A member of the Legislature.

(b) A person who is employed by the Legislature.

(c) A judge who is acting in that judge’s official capacity.

(d) A person who is a state officer holding elective office or an officer of a political subdivision of the state holding elective office and who is acting in that officer’s official capacity.

(e) A person who appears as a witness or for the purpose of providing information at the written request of the chair of a committee, subcommittee, or legislative delegation.

(f) A person employed by any executive or judicial department of the state or any community college of the state who makes a personal appearance or attendance before the House of Representatives or the Senate, or any member or committee thereof, while that person is on approved leave or outside normal working hours and who does not otherwise meet the definition of lobbyist.

(5) When a person, regardless of whether the person is registered as a lobbyist, appears before a committee of the Legislature, that person

must submit a Committee Appearance Record as required by the respective house.

(6) The responsibilities of the division and of the Lobbyist Registration Office under Joint Rule One may be assigned to another entity by agreement of the President of the Senate and the Speaker of the House of Representatives for a contract period not to extend beyond December 1 following the Organization Session of the next biennium, provided that the powers and duties of the President, the Speaker, the General Counsel of the Office of Legislative Services, and any legislative committee referenced in Joint Rule One may not be delegated.

#### 1.2—Method of Registration

(1) Each person who is required to register must register on forms furnished by the Lobbyist Registration Office, on which that person must state, under oath, that person’s full legal name, business address, and telephone number, the name and business address of each principal that person represents, and the extent of any direct business association or partnership that person has with any member of the Legislature. In addition, if the lobbyist is a partner, owner, officer, or employee of a lobbying firm, the lobbyist must state the name, address, and telephone number of each lobbying firm to which the lobbyist belongs. The Lobbyist Registration Office or its designee is authorized to acknowledge the oath of any person who registers in person. Any changes to the information provided in the registration form must be reported to the Lobbyist Registration Office in writing within 15 days on forms furnished by the Lobbyist Registration Office.

(2) Any person required to register must do so with respect to each principal prior to commencement of lobbying on behalf of that principal. At the time of registration, the registrant shall provide a statement on a form provided by the Lobbyist Registration Office, signed by the principal or principal’s representative, that the registrant is authorized to represent the principal. On the authorization statement, the principal or principal’s representative shall also identify and designate the principal’s main business pursuant to a classification system approved by the Office of Legislative Services that shall be the North American Industry Classification System (NAICS) six-digit numerical code that most accurately describes the principal’s main business.

(3) Any person required to register must renew the registration annually for each calendar year.

(4) A lobbyist shall promptly send a notice to the Lobbyist Registration Office, on forms furnished by the Lobbyist Registration Office, canceling the registration for a principal upon termination of the lobbyist’s representation of that principal. A notice of cancellation takes effect the day it is received by the Lobbyist Registration Office. Notwithstanding this requirement, the Lobbyist Registration Office may remove the name of a lobbyist from the list of registered lobbyists if the principal notifies the Lobbyist Registration Office that the lobbyist is no longer authorized to represent that principal.

(5) The Lobbyist Registration Office shall retain all original registration documents submitted under this rule.

(6) A person who is required to register under Joint Rule One, or who chooses to register, shall be considered a lobbyist of the Legislature for the purposes of ss. 11.045, 112.3148, and 112.3149, Florida Statutes.

#### 1.3—Registration Costs; Exemptions

(1) To cover the costs incurred in administering Joint Rule One, each person who registers under Joint Rule 1.1 must pay an annual registration fee to the Lobbyist Registration Office. The annual period runs from January 1 to December 31. These fees must be paid at the time of registration.

(2) The following persons are exempt from paying the fee, provided they are designated in writing by the agency head or person designated in this subsection:

(a) Two employees of each department of the executive branch created under chapter 20, Florida Statutes.

(b) Two employees of the Fish and Wildlife Conservation Commission.

(c) Two employees of the Executive Office of the Governor.

- (d) Two employees of the Commission on Ethics.
- (e) Two employees of the Florida Public Service Commission.
- (f) Two employees of the judicial branch designated in writing by the Chief Justice of the Florida Supreme Court.

10,000-19,999	15,000
20,000-29,999	25,000
30,000-39,999	35,000
40,000-49,999	45,000
50,000 or more	Actual amount reported

(3) The annual fee is up to \$50 per each house for a person to register to represent one principal and up to an additional \$10 per house for each additional principal that the person registers to represent. The amount of each fee shall be established annually by the President of the Senate and the Speaker of the House of Representatives. The fees set shall be adequate to ensure operation of the lobbyist registration and reporting operations of the Lobbyist Registration Office. The fees collected by the Lobbyist Registration Office under this rule shall be deposited in the State Treasury and credited to the Legislative Lobbyist Registration Trust Fund specifically to cover the costs incurred in administering Joint Rule One.

(3) The reporting statements shall be filed no later than 45 days after the end of each reporting period. The four reporting periods are from January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31, respectively. The statements shall be rendered in the identical form provided by the respective houses and shall be open to public inspection. Reporting statements shall be filed by electronic means through the electronic filing system developed by the division, conforming to subsection (4).

1.4—Reporting of Lobbying Firm Compensation

(1)(a) Each lobbying firm shall file a compensation report with the division for each calendar quarter during any portion of which one or more of the firm’s lobbyists were registered to represent a principal. The report shall include the:

(4) The electronic filing system for compensation reporting shall include the following:

1. Full name, business address, and telephone number of the lobbying firm;
2. Registration name of each of the firm’s lobbyists; and
3. Total compensation provided or owed to the lobbying firm from all principals for the reporting period, reported in one of the following categories: \$0; \$1 to \$49,999; \$50,000 to \$99,999; \$100,000 to \$249,999; \$250,000 to \$499,999; \$500,000 to \$999,999; or \$1 million or more.

(a) As used in this rule, the term “electronic filing system” means an Internet system for recording and reporting lobbying compensation and other required information by reporting period.

(b) For each principal represented by one or more of the firm’s lobbyists, the lobbying firm’s compensation report shall also include the:

(b) A report filed pursuant to this rule must be completed and filed through the electronic filing system not later than 11:59 p.m. of the day designated in subsection (3). A report not filed by 11:59 p.m. of the day designated is a late-filed report and is subject to the penalties under Joint Rule 1.5(1).

1. Full name, business address, and telephone number of the principal; and
2. Total compensation provided or owed to the lobbying firm for the reporting period, reported in one of the following categories: \$0; \$1 to \$9,999; \$10,000 to \$19,999; \$20,000 to \$29,999; \$30,000 to \$39,999; \$40,000 to \$49,999; or \$50,000 or more. If the category “\$50,000 or more” is selected, the specific dollar amount of compensation must be reported, rounded up or down to the nearest \$1,000.

(c) Each person given secure sign-on credentials to file via the electronic filing system is responsible for protecting the credentials from disclosure and is responsible for all filings made by use of such credentials, unless and until the division is notified that the person’s credentials have been compromised. Each report filed by electronic means pursuant to this rule shall be deemed certified in accordance with paragraph (1)(d) by the person given the secure sign-on credentials and, as such, subjects the person and the lobbying firm to the provisions of s. 11.045(8), Florida Statutes, as well as any discipline provided under the rules of the Senate or House of Representatives.

(c) If the lobbying firm subcontracts work from another lobbying firm and not from the original principal:

(d) The electronic filing system shall:

1. The lobbying firm providing the work to be subcontracted shall be treated as the reporting lobbying firm’s principal for reporting purposes under this paragraph; and
2. The reporting lobbying firm shall, for each lobbying firm identified as the reporting lobbying firm’s principal under paragraph (b), identify the name and address of the principal originating the lobbying work.

1. Be based on access by means of the Internet.
2. Be accessible by anyone with Internet access using standard web-browsing software.
3. Provide for direct entry of compensation-report information as well as upload of such information from software authorized by the division.
4. Provide a method that prevents unauthorized access to electronic filing system functions.
5. Provide for the issuance of an electronic receipt to the person submitting the report indicating and verifying the date and time that the report was filed.

(d) The senior partner, officer, or owner of the lobbying firm shall certify to the veracity and completeness of the information submitted pursuant to this rule; certify that no compensation has been omitted from this report by deeming such compensation as “consulting services,” “media services,” “professional services,” or anything other than compensation; and certify that no officer or employee of the firm has made an expenditure in violation of s. 11.045, Florida Statutes, as amended by chapter 2005-359, Laws of Florida.

(5) The division shall provide reasonable public notice of the electronic filing procedures and of any significant changes in such procedures. If, whenever they deem it necessary, the President of the Senate and the Speaker of the House of Representatives jointly declare the electronic system not to be operable, the reports shall be filed in the manner required prior to April 1, 2007, as provided by House Concurrent Resolution 7011 (2007), enrolled, unless the President of the Senate and the Speaker of the House of Representatives direct use of an alternate means of reporting. The division shall develop and maintain such alternative means as may be practicable. Public notice of changes in filing procedures and any declaration or direction of the President of the Senate and the Speaker of the House of Representatives may be provided by publication for a continuous period of reasonable time on one or more Internet websites maintained by the Senate and the House of Representatives.

(2) For each principal represented by more than one lobbying firm, the division shall aggregate the reporting-period and calendar-year compensation reported as provided or owed by the principal. Compensation reported within a category shall be aggregated as follows:

Category (dollars)	Dollar amount to use aggregating
0	0
1-9,999	5,000

1.5—Failure to File Timely Compensation Report; Notice and Assessment of Fines; Appeals

(1) Upon determining that the report is late, the person designated to review the timeliness of reports shall immediately notify the lobbying firm as to the failure to timely file the report and that a fine is being assessed for each late day. The fine shall be \$50 per day per report for each late day, not to exceed \$5,000 per report.

(2) Upon receipt of the report, the person designated to review the timeliness of reports shall determine the amount of the fine based on when the report is actually received by the division or when the electronic receipt issued by the electronic filing system is dated, whichever is earlier.

(3) Such fine shall be paid within 30 days after the notice of payment due is transmitted by the person designated to review the timeliness of reports, unless appeal is made to the division. The moneys shall be deposited into the Legislative Lobbyist Registration Trust Fund.

(4) A fine shall not be assessed against a lobbying firm the first time the report for which the lobbying firm is responsible is not timely filed. However, to receive the one-time fine waiver, the report for which the lobbying firm is responsible must be filed within 30 days after notice that the report has not been timely filed is transmitted by the person designated to review the timeliness of reports. A fine shall be assessed for any subsequent late-filed reports.

(5) Any lobbying firm may appeal or dispute a fine, based upon unusual circumstances surrounding the failure to file on the designated due date, and may request and shall be entitled to a hearing before the General Counsel of the Office of Legislative Services, who shall recommend to the President of the Senate and the Speaker of the House of Representatives, or their respective designees, that the fine be waived in whole or in part for good cause shown. The President of the Senate and the Speaker of the House of Representatives, or their respective designees, may by joint agreement concur in the recommendation and waive the fine in whole or in part. Any such request shall be made within 30 days after the notice of payment due is transmitted by the person designated to review the timeliness of reports. In such case, the lobbying firm shall, within the 30-day period, notify the person designated to review the timeliness of reports in writing of his or her intention to request a hearing.

(6) A lobbying firm may request that the filing of a report be waived upon good cause shown, based on unusual circumstances. The request must be filed with the General Counsel of the Office of Legislative Services, who shall make a recommendation concerning the waiver request to the President of the Senate and the Speaker of the House of Representatives. The President of the Senate and the Speaker of the House of Representatives may, by joint agreement, grant or deny the request.

(7)(a) All lobbyist registrations for lobbyists who are partners, owners, officers, or employees of a lobbying firm that fails to timely pay a fine are automatically suspended until the fine is paid or waived and all late reports have been filed or waived. The division shall promptly notify all affected principals, the President of the Senate, and the Speaker of the House of Representatives of any suspension or reinstatement. All lobbyists who are partners, owners, officers, or employees of a lobbying firm are jointly and severally liable for any outstanding fine owed by a lobbying firm.

(b) No such lobbyist may be reinstated in any capacity representing any principal until the fine is paid and all late reports have been filed or waived or until the fine is waived as to that lobbyist and all late reports for that lobbyist have been filed or waived. A suspended lobbyist may request a waiver upon good cause shown, based on unusual circumstances. The request must be filed with the General Counsel of the Office of Legislative Services who shall, as soon as practicable, make a recommendation concerning the waiver request to the President of the Senate and the Speaker of the House of Representatives. The President of the Senate and the Speaker of the House of Representatives may, by joint agreement, grant or deny the request.

(8) The person designated to review the timeliness of reports shall notify the director of the division of the failure of a lobbying firm to file a report after notice or of the failure of a lobbying firm to pay the fine imposed.

1.6—Open Records; Internet Publication of Registrations and Compensation Reports

(1) All of the lobbyist registration forms and compensation reports received by the Lobbyist Registration Office shall be available for public inspection and for duplication at reasonable cost.

(2) The division shall make information filed pursuant to Joint Rules 1.2 and 1.4 reasonably available on the Internet in an easily understandable and accessible format. The Internet website shall include, but not be limited to, the names and business addresses of lobbyists, lobbying firms, and principals, the affiliations between lobbyists and principals, and the classification system designated and identified with respect to principals pursuant to Joint Rule 1.2.

1.7—Records Retention and Inspection and Complaint Procedure

(1) Each lobbying firm and each principal shall preserve for a period of 4 years all accounts, bills, receipts, computer records, books, papers, and other documents and records necessary to substantiate compensation reports.

(2) Upon receipt of a complaint based upon the personal knowledge of the complainant made pursuant to the Senate Rules or Rules of the House of Representatives, any such documents and records may be inspected when authorized by the President of the Senate or the Speaker of the House of Representatives, as applicable. The person authorized to perform the inspection shall be designated in writing and shall be a member of The Florida Bar or a certified public accountant licensed in Florida. Any information obtained by such an inspection may only be used for purposes authorized by law, this Joint Rule One, Senate Rules, or Rules of the House of Representatives, which purposes may include the imposition of sanctions against a person subject to Joint Rule One, the Senate Rules, or the Rules of the House of Representatives. Any employee who uses that information for an unauthorized purpose is subject to discipline. Any member who uses that information for an unauthorized purpose is subject to discipline under the applicable rules of each house.

(3) The right of inspection may be enforced by appropriate writ issued by any court of competent jurisdiction.

1.8—Questions Regarding Interpretation of this Joint Rule One

(1) A person may request in writing an informal opinion from the General Counsel of the Office of Legislative Services as to the application of this Joint Rule One to a specific situation involving that person's conduct. The General Counsel shall issue the opinion within 10 days after receiving the request. The informal opinion may be relied upon by the person who requested the informal opinion. A copy of each informal opinion that is issued shall be provided to the presiding officer of each house. A committee of either house designated pursuant to s. 11.045(5), Florida Statutes, may revise any informal opinion rendered by the General Counsel through an advisory opinion to the person who requested the informal opinion. The advisory opinion shall supersede the informal opinion as of the date the advisory opinion is issued.

(2) A person in doubt about the applicability or interpretation of this Joint Rule One with respect to that person's conduct may submit in writing the facts for an advisory opinion to the committee of either house designated pursuant to section 11.045(5), Florida Statutes, and may appear in person before the committee in accordance with s. 11.045(5), Florida Statutes.

1.9—Effect of Readoption and Revision

All obligations existing under Joint Rule One as of the last day of the previous legislative biennium are hereby ratified, preserved, and re-imposed pursuant to the terms thereof as of that date. The provisions of Joint Rule One are imposed retroactively to the first day of the present legislative biennium except that provisions new to this revision are effective on the date of adoption or as otherwise expressly provided herein.

### Joint Rule Two—General Appropriations Review Period

2.1—General Appropriations and Related Bills; Review Periods

(1) A general appropriations bill shall be subject to a 72-hour public review period before a vote is taken on final passage of the bill in the form that will be presented to the Governor.

(2) If a bill is returned to the house in which the bill originated and the originating house does not concur in all the amendments or adds addi-



tional amendments, no further action shall be taken on the bill by the nonoriginating house, and a conference committee shall be established by operation of this rule to consider the bill.

(3) If a bill is referred to a conference committee by operation of this rule, a 72-hour public review period shall be provided prior to a vote being taken on the conference committee report by either house.

(4) A copy of the bill, a copy of the bill with amendments adopted by the nonoriginating house, or the conference committee report shall be furnished to each member of the Legislature, the Governor, the Chief Justice of the Supreme Court, and each member of the Cabinet. Copies for the Governor, Chief Justice, and members of the Cabinet shall be furnished to the official's office in the Capitol or Supreme Court Building.

(5)(a) Copies required to be furnished under subsection (4) shall be furnished to members of the Legislature as follows:

1. A printed copy may be placed on each member's desk in the appropriate chamber; or

2. An electronic copy may be furnished to each member. The Legislature hereby deems and determines that a copy shall have been furnished to the members of the Legislature when an electronic copy is made available to every member of the Legislature. An electronic copy is deemed to have been made available when it is accessible via the Internet or other information network consisting of systems ordinarily serving the members of the Senate or the House of Representatives.

(b) An official other than a member of the Legislature who is to be furnished a copy of a general appropriations bill under subsection (4) may officially request that an electronic copy of the bill be furnished in lieu of a printed copy, and, if practicable, the copy may be furnished to the official in the manner requested.

(6) The Secretary of the Senate shall be responsible for furnishing copies under this rule for Senate bills, House bills as amended by the Senate, and conference committee reports on Senate bills. The Clerk of the House shall be responsible for furnishing copies under this rule for House bills, Senate bills as amended by the House, and conference committee reports on House bills.

(7) The 72-hour public review period shall begin to run upon completion of the furnishing of copies required to be furnished under subsection (4). The Speaker of the House of Representatives and the President of the Senate, as appropriate, shall be informed of the completion time, and such time shall be announced on the floor prior to vote on final passage in each house and shall be entered in the journal of each house. Saturdays, Sundays, and holidays shall be included in the computation under this rule.

(8) An implementing or conforming bill recommended by a conference committee shall be subject to a 24-hour public review period before a vote is taken on the conference committee report by either house, if the conference committee submits its report after the furnishing of a general appropriations bill to which the 72-hour public review period applies.

(9) With respect to each bill that may be affected, a member of the Senate or the House of Representatives may not raise a point of order under this rule after a vote is taken on the bill. Except as may be required by the Florida Constitution, noncompliance with any requirement of this rule may be waived by a two-thirds vote of those members present and voting in each house.

## 2.2—General Appropriations and Related Bills; Definitions

As used in Joint Rule Two, the term:

(1) "Conforming bill" means a bill that amends the Florida Statutes to conform to a general appropriations bill.

(2) "General appropriations bill" means a bill that provides for the salaries of public officers and other current expenses of the state and contains no subject other than appropriations. A bill that contains appropriations that are incidental and necessary solely to implement a substantive law is not included within this term. For the purposes of Joint Rule Two and Section 19(d) of Article III of the Florida Constitu-

tion, the Legislature hereby determines that, after a general appropriations bill has been enacted and establishes governing law for a particular fiscal year, a bill considered in any subsequent session that makes net reductions in such enacted appropriations or that makes supplemental appropriations shall not be deemed to be a general appropriations bill unless such bill provides for the salaries of public officers and other current expenses of the state for a subsequent fiscal year.

(3) "Implementing bill" means a bill, effective for one fiscal year, implementing a general appropriations bill.

## Joint Rule Three—Joint Offices and Policies

### 3.1—Joint Legislative Offices

(1) The following offices of the Legislature are established:

(a) Office of Economic and Demographic Research.

(b) Office of Legislative Information Technology Services.

(c) Office of Legislative Services.

(d) Office of Program Policy Analysis and Government Accountability.

(2) Offices established under this rule shall provide support services to the Legislature that are determined by the President of the Senate and the Speaker of the House of Representatives to be necessary and that can be effectively provided jointly to both houses and other units of the Legislature. Each office shall be directed by a coordinator selected by and serving at the pleasure of the President of the Senate and the Speaker of the House of Representatives. Upon the initial adoption of these joint rules in a biennium, each coordinator position shall be deemed vacant until an appointment is made.

(3) Within the monetary limitations of the approved operating budget, the salaries and expenses of the coordinator and the staff of each office shall be governed by joint policies.

(4) The Office of Legislative Services shall provide legislative support services other than those prescribed in subsections (5)-(7). The Division of Statutory Revision and the Division of Legislative Information shall be two of the divisions within the Office of Legislative Services.

(5) The Office of Legislative Information Technology Services shall provide support services to assist the Legislature in achieving its objectives through the application of cost-effective information technology.

(6) The Office of Economic and Demographic Research shall provide research support services, principally regarding forecasting economic and social trends that affect policymaking, revenues, and appropriations.

(7) The Office of Program Policy Analysis and Government Accountability shall:

(a) Perform independent examinations, program reviews, and other projects as provided by general law, as provided by concurrent resolution, as directed by the Legislative Auditing Committee, or as directed by the President of the Senate or the Speaker of the House and shall provide recommendations, training, or other services to assist the Legislature.

(b) Transmit to the President of the Senate and the Speaker of the House of Representatives, by December 1 of each year, a list of statutory and fiscal changes recommended by office reports. The recommendations shall be presented in two categories: one addressing substantive law and policy issues and the other addressing budget issues.

### 3.2—Joint Policies

(1) The President of the Senate and the Speaker of the House of Representatives shall jointly adopt policies they consider advisable to carry out the functions of the Legislature. Such policies shall be binding on all employees of joint offices and joint committees.

(2) The employees of all joint committees and joint legislative offices shall be under the exclusive control of the Legislature. No officer or

agency in the executive or judicial branch shall exercise any manner of control over legislative employees with respect to the exercise of their duties or the terms and conditions of their employment.

#### Joint Rule Four—Joint Committees

##### 4.1—Standing Joint Committees

(1) The following standing joint committees are established:

- (a) Administrative Procedures Committee.
- (b) Committee on Public Counsel Oversight.
- (c) Legislative Auditing Committee.

(2) No other joint committee shall exist except as agreed to by the presiding officers or by concurrent resolution approved by the Senate and the House of Representatives.

(3) Appointments to each standing joint committee shall be made or altered and vacancies shall be filled by the Senate and the House of Representatives in accordance with their respective rules. There shall be appointed to each standing joint committee no fewer than five and no more than seven members from each house.

(4)(a) The President of the Senate shall appoint a member of the Senate to serve as the chair, and the Speaker of the House of Representatives shall appoint a member of the House of Representatives to serve as the vice chair for:

1. The Legislative Auditing Committee and the Committee on Public Counsel Oversight, for the period from the Organization Session until noon on December 1 of the calendar year following the general election.

2. The Administrative Procedures Committee for the period from noon on December 1 of the calendar year following the general election until the next general election.

(b) The Speaker of the House of Representatives shall appoint a member of the House of Representatives to serve as the chair, and the President of the Senate shall appoint a member of the Senate to serve as the vice chair for:

1. The Legislative Auditing Committee and the Committee on Public Counsel Oversight, for the period from noon on December 1 of the calendar year following the general election until the next general election.

2. The Administrative Procedures Committee for the period from the Organization Session until noon on December 1 of the calendar year following the general election.

(c) A vacancy in an appointed chair or vice chair shall be filled in the same manner as the original appointment.

##### 4.2—Procedures in Joint Committees

The following rules shall govern procedures in joint committees other than conference committees:

(1) A quorum for a joint committee shall be a majority of the appointees of each house. No business of any type may be conducted in the absence of a quorum.

(2)(a) Joint committees shall meet only within the dates, times, and locations authorized by both the President of the Senate and the Speaker of the House of Representatives.

(b) Joint committee meetings shall meet at the call of the chair. In the absence of the chair, the vice chair shall assume the duty to convene and preside over meetings and such other duties as provided by law or joint rule. During a meeting properly convened, the presiding chair may temporarily assign the duty to preside at that meeting to another joint committee member until the assignment is relinquished or revoked.

(c) Before any joint committee may hold a meeting, a notice of such meeting shall be provided to the Secretary of the Senate and the Clerk of the House of Representatives no later than 4:30 p.m. of the 7th day before the meeting. For purposes of effecting notice to members of the house to which the chair does not belong, notice to the Secretary of the

Senate shall be deemed notice to members of the Senate and notice to the Clerk of the House shall be deemed notice to members of the House of Representatives. Noticed meetings may be canceled by the chair with the approval of at least one presiding officer.

(d) If a majority of its members from each house agree, a joint committee may continue a properly noticed meeting after the expiration of the time called for the meeting. However, a joint committee may not meet beyond the time authorized by the presiding officers without special leave granted by both presiding officers.

(3) The presiding officers shall interpret, apply, and enforce rules governing joint committees by agreement when the rule at issue is a joint rule. Unless otherwise determined or overruled by an agreement of the presiding officers, the chair shall determine all questions of order arising in joint committee meetings, but such determinations may be appealed to the committee during the meeting.

(4) Each question, including any appeal of a ruling of the chair, shall be decided by a majority vote of the members of the joint committee of each house present and voting.

##### 4.3—Powers of Joint Committees

(1) A joint committee may exercise the subpoena powers vested by law in a standing committee of the Legislature. A subpoena issued under this rule must be approved and signed by the President of the Senate and the Speaker of the House of Representatives and attested by the Secretary of the Senate and the Clerk of the House.

(2) A joint committee may adopt rules of procedure that do not conflict with the Florida Constitution or any law or joint rule, subject to the joint approval of the President of the Senate and the Speaker of the House of Representatives.

(3) A joint committee may not create subcommittees or workgroups unless authorized by both presiding officers.

##### 4.4—Administration of Joint Committees

(1) Within the monetary limitations of the approved operating budget, the expenses of the members and the salaries and expenses of the staff of each joint committee shall be governed by joint policies adopted under Joint Rule 3.2. Within such operating budget, the chair of each joint committee shall approve all authorized member expenses.

(2) Subject to joint policies adopted under Joint Rule 3.2, the presiding officers shall appoint and remove the staff director and, if needed, a general counsel and any other staff necessary to assist each joint committee. All joint committee staff shall serve at the pleasure of the presiding officers. Upon the initial adoption of these joint rules in a biennium, each joint committee staff director position shall be deemed vacant until an appointment is made.

##### 4.5—Special Powers and Duties of the Legislative Auditing Committee

(1) The Legislative Auditing Committee may direct the Auditor General or the Office of Program Policy Analysis and Government Accountability to conduct an audit, review, or examination of any entity or record described in s. 11.45(2) or (3), Florida Statutes.

(2) The Legislative Auditing Committee may receive requests for audits and reviews from legislators and any audit request, petition for audit, or other matter for investigation directed or referred to it pursuant to general law. The committee may make any appropriate disposition of such requests or referrals and shall, within a reasonable time, report to the requesting party the disposition of any audit request.

(3) The Legislative Auditing Committee may review the performance of the Auditor General and report thereon to the Senate and the House of Representatives.

##### 4.6—Special Powers and Duties of the Administrative Procedures Committee

The Administrative Procedures Committee shall:

(1) Maintain a continuous review of the statutory authority on which each administrative rule is based and, whenever such authority is

eliminated or significantly changed by repeal, amendment, holding by a court of last resort, or other factor, advise the agency concerned of the fact.

(2) Maintain a continuous review of administrative rules and identify and request an agency to repeal any rule or any provision of any rule that reiterates or paraphrases any statute or for which the statutory authority has been repealed.

(3) Review administrative rules and advise the agencies concerned of its findings.

(4) Exercise the duties prescribed by chapter 120, Florida Statutes, concerning the adoption and promulgation of rules.

(5) Generally review agency action pursuant to the operation of chapter 120, Florida Statutes, the Administrative Procedure Act.

(6) Report to the President of the Senate and the Speaker of the House of Representatives at least annually, no later than the first week of the regular session, and recommend needed legislation or other appropriate action. Such report shall include the number of objections voted by the committee, the number of suspensions recommended by the committee, the number of administrative determinations filed on the invalidity of a proposed or existing rule, the number of petitions for judicial review filed on the invalidity of a proposed or existing rule, and the outcomes of such actions. Such report shall also include any recommendations provided to the standing committees during the preceding year under subsection (11).

(7) Consult regularly with legislative standing committees that have jurisdiction over the subject areas addressed in agency proposed rules regarding legislative authority for the proposed rules and other matters relating to legislative authority for agency action.

(8) Subject to the approval of the President of the Senate and the Speaker of the House of Representatives, have standing to seek judicial review, on behalf of the Legislature or the citizens of this state, of the validity or invalidity of any administrative rule to which the committee has voted an objection and that has not been withdrawn, modified, repealed, or amended to meet the objection. Judicial review under this subsection may not be initiated until the Governor and the head of the agency making the rule to which the committee has objected have been notified of the committee's proposed action and have been given a reasonable opportunity, not to exceed 60 days, for consultation with the committee. The committee may expend public funds from its appropriation for the purpose of seeking judicial review.

(9) Maintain a continuous review of the administrative rulemaking process, including a review of agency procedure and of complaints based on such agency procedure.

(10) Establish measurement criteria to evaluate whether agencies are complying with the delegation of legislative authority in adopting and implementing rules.

(11) Maintain a continuous review of statutes that authorize agencies to adopt rules and shall make recommendations to the appropriate standing committees of the Senate and the House of Representatives as to the advisability of considering changes to the delegated legislative authority to adopt rules in specific circumstances.

#### 4.7—Special Powers and Duties of the Committee on Public Counsel Oversight

(1) The Committee on Public Counsel Oversight shall appoint a Public Counsel.

(2) The Committee on Public Counsel Oversight may file a complaint with the Commission on Ethics alleging a violation of chapter 350, Florida Statutes, by a current or former public service commissioner, an employee of the Public Service Commission, or a member of the Public Service Commission Nominating Council.

(3) Notwithstanding Joint Rule 4.4(2), the Committee on Public Counsel Oversight shall not have any permanent staff but shall be served as needed by other legislative staff selected by the President of the Senate and the Speaker of the House of Representatives.

### Joint Rule Five—Auditor General

#### 5.1—Rulemaking Authority

The Auditor General shall make and enforce reasonable rules and regulations necessary to facilitate audits that he or she is authorized to perform.

#### 5.2—Budget and Accounting

(1) The Auditor General shall prepare and submit annually to the President of the Senate and the Speaker of the House of Representatives for their joint approval a proposed budget for the ensuing fiscal year.

(2) Within the limitations of the approved operating budget, the salaries and expenses of the Auditor General and the staff of the Auditor General shall be paid from the appropriation for legislative expenses or any other moneys appropriated by the Legislature for that purpose. The Auditor General shall approve all bills for salaries and expenses for his or her staff before the same shall be paid.

#### 5.3—Audit Report Distribution

(1) A copy of each audit report shall be submitted to the Governor, to the Chief Financial Officer, and to the officer or person in charge of the state agency or political subdivision audited. One copy shall be filed as a permanent public record in the office of the Auditor General. In the case of county reports, one copy of the report of each county office, school district, or other district audited shall be submitted to the board of county commissioners of the county in which the audit was made and shall be filed in the office of the clerk of the circuit court of that county as a public record. When an audit is made of the records of the district school board, a copy of the audit report shall also be filed with the district school board, and thereupon such report shall become a part of the public records of such board.

(2) A copy of each audit report shall be made available to each member of the Legislative Auditing Committee.

(3) The Auditor General shall transmit a copy of each audit report to the appropriate substantive and fiscal committees of the Senate and House of Representatives.

(4) Other copies may be furnished to other persons who, in the opinion of the Auditor General, are directly interested in the audit or who have a duty to perform in connection therewith.

(5) The Auditor General shall transmit to the President of the Senate and the Speaker of the House of Representatives, by December 1 of each year, a list of statutory and fiscal changes recommended by audit reports. The recommendations shall be presented in two categories: one addressing substantive law and policy issues and the other addressing budget issues. The Auditor General may also transmit recommendations at other times of the year when the information would be timely and useful for the Legislature.

(6) A copy required to be provided under this rule may be provided in an electronic or other digital format if the Auditor General determines that the intended recipient has appropriate resources to review the copy. Copies to members, committees, and offices of the Legislature shall be provided in electronic format as may be provided in joint policies adopted under Joint Rule 3.2.

### Joint Rule Six—Joint Legislative Budget Commission

#### 6.1—General Responsibilities

(1) The commission, as provided in chapter 216, Florida Statutes, shall receive and review notices of budget and personnel actions taken or proposed to be taken by the executive and judicial branches and shall approve or disapprove such actions.

(2) Through its chair, the commission shall advise the Governor and the Chief Justice of actions or proposed actions that exceed delegated authority or that are contrary to legislative policy and intent.

(3) To the extent possible, the commission shall inform members of the Legislature of budget amendments requested by the executive or judicial branches.

(4) The commission shall consult with the Chief Financial Officer and the Executive Office of the Governor on matters as required by chapter 216, Florida Statutes.

(5) The President of the Senate and the Speaker of the House of Representatives may jointly assign other responsibilities to the commission in addition to those assigned by law.

(6) The commission shall develop policies and procedures necessary to carry out its assigned responsibilities, subject to the joint approval of the President of the Senate and the Speaker of the House of Representatives.

(7) The commission, with the approval of the President of the Senate and the Speaker of the House of Representatives, may appoint subcommittees as necessary to facilitate its work.

6.2—Organizational Structure

(1) The commission is not subject to Joint Rule Four. The commission shall be composed of seven members of the Senate appointed by the President of the Senate and seven members of the House of Representatives appointed by the Speaker of the House of Representatives.

(2) The commission shall be jointly staffed by the appropriations committees of both houses. The Senate shall provide the lead staff when the chair of the commission is a member of the Senate. The House of Representatives shall provide the lead staff when the chair of the commission is a member of the House of Representatives.

6.3—Notice of Commission Meetings

Not less than 7 days prior to a meeting of the commission, a notice of the meeting, stating the items to be considered, date, time, and place, shall be filed with the Secretary of the Senate when the chair of the commission is a member of the Senate or with the Clerk of the House when the chair of the commission is a member of the House of Representatives. The Secretary of the Senate or the Clerk of the House shall distribute notice to the Legislature and the public, consistent with the rules and policies of their respective houses.

6.4—Effect of Adoption; Intent

This Joint Rule Six replaces all prior joint rules governing the Joint Legislative Budget Commission and is intended to implement constitutional provisions relating to the Joint Legislative Budget Commission existing as of the date of the rule's adoption.

—was read the second time in full. On motions by Senator Thrasher, **SCR 1202** was adopted and by two-thirds vote immediately certified to the House. The vote on adoption was:

Yeas—37

Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	
Gaetz	Oelrich	

Nays—None

Vote after roll call:

Yea—Mr. President

On motion by Senator Thrasher, by two-thirds vote—

**SB 1204**—A bill to be entitled An act relating to joint legislative organizations; repealing ss. 11.511 and 11.513, F.S., relating to the Office of Program Policy Analysis and Government Accountability; repealing s. 11.60, F.S., relating to the Joint Administrative Procedures Committee; repealing s. 11.70, F.S., relating to the Legislative Committee on Intergovernmental Relations; repealing s. 11.80, F.S., relating to the Joint Legislative Committee on Everglades Oversight; repealing ss. 11.901-11.920, F.S., relating to the Florida Government Accountability Act; repealing s. 163.3247(4)(g), F.S., relating to creation of a joint select committee to review the findings and recommendations of the Century Commission for a Sustainable Florida for potential action; repealing ss. 216.0446, 216.163(2)(f), and 282.322, F.S., relating to the review of information technology resources needs and a special monitoring process for designated information resources management projects; repealing s. 350.012, F.S., relating to the Committee on Public Counsel Oversight; repealing ss. 450.201, 450.221, 450.231, and 450.241, F.S., relating to the Legislative Commission on Migrant and Seasonal Labor; amending s. 1.01, F.S.; defining the terms “Administrative Procedures Committee,” “Legislative Auditing Committee,” “Office of Program Policy Analysis and Government Accountability,” and “Office of Economic and Demographic Research,” applicable throughout the statutes; amending s. 11.147, F.S.; revising provisions relating to creation and duties of the Office of Legislative Services; amending s. 11.40, F.S.; revising duties of the Legislative Auditing Committee; conforming provisions to changes made by the act; amending s. 11.51, F.S.; revising provisions relating to creation and duties of the Office of Program Policy Analysis and Government Accountability; amending s. 409.146, F.S.; revising reporting duties of the Department of Children and Family Services with respect to the children and families client and management information system; conforming provisions to changes made by the act; amending s. 1000.01, F.S.; deleting provisions relating to creation of the Council for Education Policy Research and Improvement; amending ss. 11.45, 29.0085, 112.313, 112.3189, 112.324, 125.045, 163.055, 163.3245, 166.021, 189.421, 216.181, 218.32, 218.38, 287.0943, 288.7001, 350.061, 350.0614, 373.026, 373.036, 373.45926, 450.261, and 590.33, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title. On motions by Senator Thrasher, by two-thirds vote **SB 1204** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Garcia	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Braynon	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	
Gaetz	Oelrich	

Nays—None

Vote after roll call:

Yea—Flores

**SENATOR BENNETT PRESIDING**

On motion by Senator Haridopolos, by two-thirds vote—

**CS for SJR 2**—A joint resolution proposing the creation of Section 28 of Article I of the State Constitution, relating to health care services.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SJR 2** was placed on the calendar of Bills on Third Reading.

**THE PRESIDENT PRESIDING****MOTIONS RELATING TO  
COMMITTEE REFERENCE**

On motion by Senator Jones, by two-thirds vote **SB 394** was withdrawn from the committees of reference and further consideration.

**RECESS**

On motion by Senator Thrasher, the Senate recessed at 3:41 p.m., and pursuant to **SCR 6000** the Senate will meet in joint session at 5:30 p.m. this day for the purpose of receiving a message from the Governor.

(See remainder of Senate business following the joint session.)

**JOINT SESSION**

Pursuant to **SCR 6000**, the Senate formed in processional order and marched in a body to the chamber of the House of Representatives where they were received in due form. The joint session was called to order by The Honorable Dean Cannon, Speaker of the House of Representatives.

The Lieutenant Governor, members of the Cabinet, Justices of the Supreme Court and members of the Florida Congressional Delegation were received and seated.

The Speaker invited Senator Haridopolos, President of the Senate, to the rostrum, and requested that the President preside over the joint session.

**THE PRESIDENT PRESIDING**

The President declared a quorum of the joint session present.

Representative Dwayne Taylor delivered the prayer.

Senate President Pro Tempore Mike Bennett and House Speaker Pro Tempore John Legg led the pledge of allegiance to the flag of the United States of America.

**SPECIAL PERFORMANCE**

President Haridopolos introduced Lilly Forbes, sponsored by Speaker Cannon, who sang the *National Anthem*.

On motion by Representative Nehr that a committee be appointed to notify the Governor that the joint session was assembled to receive his message, the President appointed Senator Benacquisto, Co-chair; Senators Flores, Garcia, Joyner, Norman, Simmons and Smith; and on behalf of the Speaker, appointed Representative Grimsley, Co-chair; Representatives Hukill, McKeel, Precourt, Proctor, Schenck, Snyder, Gibbons and Thurston. The committee withdrew from the chamber.

The committee appointed to wait upon the Governor subsequently returned to the chamber escorting His Excellency, The Honorable Rick Scott, Governor, who was escorted to the rostrum.

**SPECIAL GUESTS**

The President recognized the following guests: First Lady of the Senate, Stephanie Haridopolos, M.D.; First Lady of the House of Representatives, Ellen Cannon; the First Lady of Florida, Ann Scott; and spouses of the House and Senate members.

The President presented the Governor to the joint assembly.

**ADDRESS BY GOVERNOR  
RICK SCOTT**

President Haridopolos, Speaker Cannon, Chief Justice Canady, members of the Supreme Court, members of the Cabinet, members of the Legislature and my fellow Floridians: It is an honor to appear before this body for the first time as Governor of the Great State of Florida.

I want to recognize our Lt Governor, Jennifer Carroll, and her husband Nolan. The new first lady of Florida is here, who's been my first lady for 38 years, Ann Scott.

Tonight we are honored to be joined by General Titshaw, members of the Florida National Guard, and Florida soldiers and airmen who have returned from duty abroad. We are safe and comfortable here tonight because men and women like them stand guard in hard and dangerous places.

There are many humbling moments in life, but none more so than visiting with a wounded warrior, seeing the sacrifice and the courage. And we are joined tonight by two of those brave men who received the Purple Heart for their service: Staff Sergeant Alberto D. Porro and Air Force Staff Sergeant Christopher "Mark" McDuffie.

We are also honored by the presence of Phillip and Maureen Miller, the parents of Staff Sergeant Robert J. Miller, a Special Forces soldier who gave his life serving our country in Afghanistan.

Staff Sergeant Miller was awarded the Medal of Honor for giving his life so that his fellow team members could move out of an ambush kill zone. His courage is an inspiration to all of us. On behalf of the people of Florida, we thank all of you for your service.

We also want to recognize the bravery and the sacrifices of our law enforcement officers here in Florida. In the last two months, six public safety officers have lost their lives serving our state in the line of duty, including three brave men in St. Petersburg in just one month.

We're honored tonight by the presence of Donna Malloy and her daughter Payton, the family of Colonel Greg Malloy, who laid down his life just a few weeks ago, while hunting down a fugitive. Thank you for joining us here tonight and representing the families of our fallen law enforcement heroes. We honor their memory and pray that God will comfort their families.

We gather tonight at a momentous time in our state's history. Bold reforms are underway.

Thousands of our fellow Floridians have assembled here in our Capital, some to criticize our budget priorities, and far more to thank us for our willingness to make hard choices.

For years, politicians have not dared to face the full extent of our financial problems. Politics prevailed, even when the numbers did not add up. All the cans that have been kicked down the road are now piled up in front of us. Floridians have been encouraged to believe that government could take care of us.

But government always takes more than it gives back.

Some thought that businesses could tolerate a strangling web of regulations, and that government could grow without starving the private sector or destroying jobs. The result of that experiment is in: government grew way beyond its ability to pay for its promises, and the jobs disappeared.

The first step to better times is acknowledging that government cannot afford what some have come to expect.

Doing what must be done will not make me "Most Popular," but I'm determined to make Florida "Most Likely to Succeed."

On my first day in office, I ordered a review of every regulation in the pipeline and every contract exceeding \$1 million.

These steps sent two clear signals. First, that Florida will not allow unreasonable regulations to stand in the way of job creation. And second, that we intend to watch state spending like a hawk. On my watch we will never allow another wasteful project like the "Taj Mahal" Courthouse to slip under the radar.

We also sold the state airplanes as I had promised to do. And we created the most fiscally conservative state budget in the country.

Our "jobs" budget is targeted to create private sector jobs, increase accountability, and reduce the size of government.

Every day since elected Governor, I've gone job hunting for the people of Florida. In my business career I was never shy about picking up the phone and making a cold call to try to make something good happen. As Governor, I've been making those calls every day to recruit job creators, and I will continue making those calls until every Floridian has the opportunity to get back to work.

As we meet tonight, unemployment in Florida stands at 12 percent. While this legislative session is a regular session, it is, in many ways, an emergency session.

For the 1.1 million Floridians who are out of work, this is an emergency. They are running out of options. The unemployed have heard enough talk. They're saying, "Show me the jobs."

And tonight, I am here to show you some new jobs. We have a long way to go, but we're on our way.

Joining us tonight are four business leaders: one who decided to move a business to Florida, and three who decided to expand their business here. I'd like to recognize them now.

Armand Lauzon is president of Chromalloy, an aviation parts manufacturing company that just opened a new, manufacturing plant in Tampa and created 400 jobs in Hillsborough County.

And we're also joined tonight by David Meers, the Chief Operating Officer of Vision Airlines, a company that helps put tourists onto Florida's beaches. Vision recently began flying to 23 cities from Destin less than a year after the economic damage from the Deepwater Horizon oil spill.

In Southwest Florida, Rheinhold Schmieding is founder and president of Arthrex, manufacturer of state-of-the-art medical devices. Tonight he's here to announce that Arthrex is breaking ground on a 160,000-square-foot facility that will create 150 new jobs every year for the next five years.

And finally, Dean Minardi, CFO of Bing Energy, is here with us. Bing Energy, a California-based company, was courted by offers from several other states. Bing decided to come to Florida in December.

The reason Florida won? Mr. Minardi said it was our plan to eliminate the corporate tax.

These leaders, like me, share a positive view of Florida's economic potential. On behalf of the people of Florida, I want to thank all of you for your faith in Florida's future.

I urge every member of the Legislature to join me in making job recruitment a daily task. I want to encourage each of you to become a "Jobs Ambassador" and direct new prospects to me, so we can work together to recruit potential job creators.

Ask Florida business owners, "What can we do to help you expand your business?"

Ask business leaders around the world, "Why not move to Florida?"

Last July I submitted a detailed plan to the people of Florida to create 700,000 jobs over seven years. They reviewed the plan and voted to enact it.

Last month, I delivered to you a budget that puts that plan into action and cuts taxes by \$2 billion. These tax cuts put money back in the hands of families and business owners who will grow private sector jobs.

An important priority in our "jobs" budget is to consolidate government's economic development efforts into a single, highly focused agency. Working with our public-private partner, we will have the resources to be effective, and the flexibility to adapt to particularly promising opportunities. This agency will be headquartered two doors down from my office, and its work will never be far from my mind.

I come to the job of Governor after a 35-year career in the private sector. I want to use that business experience on behalf of the people of Florida. I'm asking this legislature and the people of Florida to give me the tools and hold me accountable for results.

Our "jobs" budget makes sure government is held accountable for every spending decision. And by focusing on the core missions of government – and only the core missions – this budget will give Florida a competitive edge in attracting jobs.

I know the members of this body have thoughtful, constructive modifications to our "jobs" budget.

But we must not lose our focus or blunt our momentum.

Business people in Florida and around the world are watching what we do in the weeks ahead. They can locate anywhere. They will be deciding whether to invest in Florida, based, in part, on our ability to work together to remove the obstacles to business success. I am convinced that putting this plan into action will put our state on the road to prosperity.

On behalf of the millions of Floridians who are desperate for new jobs, I ask you to pass our "jobs" budget promptly.

We also need to focus on our incredible opportunity to improve our K-through-12 education system. We now have real innovators offering a 21st century approach to education. And many of those new approaches offer better outcomes without increasing costs.

With so many Floridians out of work, and the exhaustion of one-time federal handouts, Florida educators will face challenges in managing limited resources. But our commitment to positive change must not waiver.

Let's begin by agreeing on a few basic principles.

First, that individual student learning must be the touchstone for all our decisions. Practices that improve student learning must be adopted. Practices that impair student learning must be abolished.

Second, I think we can all also agree that the single most important factor in student learning is the quality of teaching. Florida has to recruit, train, support and promote great teachers, great school principals and great school superintendents.

Great educators are priceless. Every one of us has a teacher in our past who made a lifelong difference in our lives. Educators, like other professionals, should be rewarded based on the effectiveness of their work, not the length of their professional life. That's why Florida needs to pay the best educators more and end the practice of guaranteeing educators a job for life regardless of their performance.

The third principle worth remembering is that we all improve through competition. Think of how exciting it will be when schools are recruiting our children, when every school in the state focuses on continual improvement in order to outperform every other school in attracting students. We need to expand the eligibility for opportunity scholarships to harness the power of engaged parents.

And I am calling for an increase in the number of charter schools – which are public schools that are allowed to work independently of their school board and can innovate in ways that encourage all schools to improve.

With us here today is the principal of a very successful charter school – Sonia Mitchell of Florida International Academy. This charter school moved from an "F" school to an "A" school. Ms. Mitchell attributes their success to the passion of great educators and weekly measurements of student outcomes.

And finally, we can all agree that measuring results is a key aspect of education. We must test our students, and we must evaluate our educators. Those measurements need to be fair and thoughtful, and they need to have rewards and consequences.

We must also analyze how much education money is spent in the classroom versus the amount spent on administration or capital outlays.

With these principles in mind, Florida can become the most innovative and effective place in the country to educate the workforce of the future.

In other areas where government has a role to play, we are offering cost-conscious reforms. Most Floridians have had to tighten their belts. The state needs to do the same thing.

We are streamlining the functions of state agencies to save money and provide better service for taxpayers. Reviewing every activity in every agency with a fresh eye, we are simplifying the structure of state government.

For example, I have asked the Division of Emergency Management to report directly to me. If a hurricane comes our way, I will be personally and continuously engaged in solving problems. Direct, clear lines of authority will expedite our efforts.

We will also modernize our state government. Florida is currently the only state where taxpayers pay for the entire pension of state workers. We need to secure the state's pension system and be fair to the taxpayers of Florida. We will bring Florida's retirement system in line with other states by having government workers contribute towards their own retirement, just like everyone else.

Providing a modern, health care safety net for our low-income and disabled citizens is an important state function, but the costs of this program have been spiraling out of control. Yet there are ways to save money and provide better care by adopting market principles and giving patients more choice.

Unfortunately, the federal government requires Florida to get approval before expanding the use of these innovative, cost-saving programs. The federal government seems to forget that federal revenues were recently the hard earned dollars of Floridians. But, with or without the cooperation of the federal government, we will find a way to meet these health care needs without jeopardizing other priorities.

Another government program with good intentions and potentially dangerous side-effects is our system of unemployment compensation. In times of high unemployment, the system provides a critical safety net. But its rising costs, which are borne by the very employers who are struggling to stay in business, threaten to create even more job losses.

The costs of unemployment insurance cannot be allowed to deter job creation. By working with the legislature, we will bring those costs down.

And finally, we need lawsuit reform.

Every Floridian should have access to the courts for redress of harm. At the same time, we can't allow frivolous suits and unreasonable awards to give our state a reputation that frightens away new jobs.

I ask everyone to look beyond the short-term and imagine with me what Florida will be like once we turn our state around. Florida will be the leading job creator over the next eight years.

With no income tax, a phase out of the business tax, the expansion of the Panama Canal, the expansion of the economies of Central and South America, our beautiful weather, our beaches, the Everglades, world-class theme parks, Florida oranges, our universities and colleges, and the hardest working people in the world, Florida will become the most exciting place to live, work, and play.

With more than 700,000 new jobs, families will be able to build their own version of the American dream with the security of steady employment opportunities. Entrepreneurs will create a business climate that continually offers new goods and services. State government will be smart, lean, affordable and focused only on its core missions.

Let me close with this: It's a rare blessing in life to be in a position to improve the lives of millions of people. The leaders in this room have the power to make that kind of difference. We have a unique opportunity to put government back in its proper place and show the nation how private-sector growth leads to prosperity.

Such a moment may not come again.

My "jobs" budget has plenty of critics. Some critics are accustomed to big government and will fight to protect special interests, and there are others who agree on our policy but say that our agenda is too bold – that we need to trim the sails of our imagination and settle for small improvements.

They're wrong.

I did not fight to become the 45th Governor of the greatest state in the nation to settle for a status quo that does not promote the enormous potential of our people. I am completely committed to this mission. It is achievable.

A vast majority of legislators were elected, as I was, on our promise of smaller government, lower taxes, less regulation, support for job creation, individual opportunity, individual accountability, and more freedom.

Don't blink. Don't let special interests persuade you to turn your back on the people who elected you.

Keep faith with the Floridians who supported you because you said, "I believe in the American Dream." Remember their faces when you decide what to do in the weeks ahead.

Working together we can do incredible things if we stand together with the courage of our convictions.

Ronald Reagan once described America as a place "Unimpressed with what others say is impossible." I think that's especially true about Florida.

We are a state that has regularly done the impossible. We build magic kingdoms. We launch ships that fly to the moon. Florida can be the place where the American Dream continues to be a reality.

The world is watching, and God is watching over us. Our success will be the model for the nation.

With new jobs and an education system full of new energy, we'll plot the course for a brighter future. May God bless our great state and all of you. Let's get to work!

**DISSOLUTION OF JOINT SESSION**

Following the Governor's address, the previously appointed committee escorted the Governor from the rostrum and from the House chamber, followed by the Lieutenant Governor, members of the Cabinet, Justices of the Supreme Court and members of the Florida Congressional Delegation.

On motion by Senator Thrasher, the joint session was dissolved at 6:38 p.m. and the Senators were escorted from the House chamber by the Senate Sergeant at Arms.

(Remainder of Senate Business taken up prior to joint session.)

**INTRODUCTION AND REFERENCE OF BILLS**

**FIRST READING**

By Senators Haridopolos, Lynn, Wise, Gaetz, Dean, Benacquisto, Hays, Fasano, Bennett, Diaz de la Portilla, Oelrich, Negron, Storms, Evers, Flores, Simmons, Jones, Gardiner, Garcia, Alexander, Latvala, Altman, Thrasher, Detert, Norman, Richter, Dockery, and Bogdanoff—

**SJR 2**—A joint resolution proposing the creation of Section 28 of Article I of the State Constitution, relating to health care services.

—was referred to the Committees on Health Regulation; Judiciary; and Budget.

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**Senate Bills 4-10**—Not used.

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By Senator Bogdanoff—

**SB 12**—A bill to be entitled An act for the relief of Charles Pandrea by the North Broward Hospital District; providing for an appropriation to compensate Charles Pandrea, husband of Janet Pandrea, for the death of Janet Pandrea as a result of the negligence of the North Broward Hospital District; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

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By Senator Joyner—

**SB 14**—A bill to be entitled An act for the relief of Dennis Darling, Sr., and Wendy Smith, parents of Devaughn Darling, deceased; providing an appropriation to compensate them for the loss of their son, Devaughn Darling, whose death occurred while he was engaged in football pre-season training on the Florida State University campus; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claim Bills.

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By Senator Ring—

**SB 16**—A bill to be entitled An act for the relief of Laron S. Harris, Jr., by and through his parents, Melinda Williams and Laron S. Harris, Sr., and Melinda Williams and Laron S. Harris, Sr., individually, by the North Broward Hospital District, d/b/a Coral Springs Medical Center; providing for an appropriation to compensate them for injuries sustained as a result of the negligence of the Coral Springs Medical Center; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

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By Senator Jones—

**SB 18**—A bill to be entitled An act for the relief of Daniel and Amara Estrada; providing an appropriation to compensate Daniel and Amara Estrada, parents and guardians of Caleb Estrada, for the wrongful birth of Caleb Estrada and for damages sustained by Daniel and Amara Estrada as a result of negligence by employees of the University of South Florida Board of Trustees; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claim Bills.

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By Senator Hill—

**SB 20**—A bill to be entitled An act for the relief of the Estate of Dr. Sherrill Lynn Aversa; providing an appropriation to compensate the Estate of Dr. Sherrill Lynn Aversa for Dr. Aversa's death as result of the negligence of the Department of Transportation; requiring the Executive Office of the Governor to establish spending authority from un-appropriated trust fund balances of the department for compensation to the Estate of Dr. Sherrill Lynn Aversa; providing for attorney's fees and costs; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claim Bills.

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By Senator Hill—

**SB 22**—A bill to be entitled An act for the relief of the Estate of Cesar Solomon by the Jacksonville Transportation Authority; providing for an appropriation to compensate the Estate of Cesar Solomon for Mr. Solomon's death, which was the result of negligence by a bus driver of the Jacksonville Transportation Authority; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

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By Senator Ring—

**SB 24**—A bill to be entitled An act for the relief of Ashraf Kamel and Marguerite Dimitri by the Palm Beach County School Board; providing

for an appropriation to compensate Ashraf Kamel and Marguerite Dimitri for the wrongful death of their minor child, Jean A. Pierre Kamel, as a result of the negligence of the Palm Beach County School Board; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

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By Senator Rich—

**SB 26**—A bill to be entitled An act for the relief of Lawrence Femminella by the Palm Beach County Sheriff's Office; providing for an appropriation to compensate Lawrence Femminella for loss of consortium, false arrest, and the negligent training and hiring of deputy sheriffs by the Palm Beach County Sheriff's Office; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

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By Senator Ring—

**SB 28**—A bill to be entitled An act for the relief of L.T., a minor; providing an appropriation to compensate L.T., a minor, by and through Vicki McSwain, the Permanent Custodian for L.T., for injuries and damages sustained as a result of the negligence of employees of the Department of Children and Family Services; providing a limitation of the payment of attorney's fees, lobbying fees, costs, and other similar expenses relating to the claim; providing an effective date.

—was referred to the Special Master on Claim Bills.

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By Senator Fasano—

**SB 30**—A bill to be entitled An act for the relief of Amie Draiemann Stephenson, individually and as Personal Representative of the Estate of Christian Darby Stephenson, deceased, and for the relief of Hailey Morgan Stephenson and Christian Darby Stephenson, II, as surviving minor children of the decedent; providing an appropriation to compensate them for the wrongful death of Christian Darby Stephenson, which was due in part to the negligence of the Department of Transportation; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claim Bills.

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By Senator Dean—

**SB 32**—A bill to be entitled An act for the relief of Yvonne Morton; providing an appropriation to compensate her for injuries and damages sustained as a result of the negligence of the Department of Health; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claim Bills.

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By Senator Dean—

**SB 34**—A bill to be entitled An act for the relief of Angela Isham by the City of Ft. Lauderdale; providing for an appropriation to compensate Angela Isham, individually, and as co-personal representative of the Estate of David Isham, deceased, for the death of Mr. Isham, which was due to the negligence of employees of the City of Ft. Lauderdale; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

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**SB 36**—Withdrawn prior to introduction.

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By Senator Fasano—

**SB 38**—A bill to be entitled An act for the relief of Marcus Button by the Pasco County School Board; providing for an appropriation to compensate Marcus Button for injuries sustained as a result of the negligence of an employee of the Pasco County School Board; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

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**SB 40**—Withdrawn prior to introduction.

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By Senator Benacquisto—

**SB 42**—A bill to be entitled An act for the relief of Eric Brody by the Broward County Sheriff's Office; providing for an appropriation to compensate Eric Brody for injuries sustained as a result of the negligence of the Broward County Sheriff's Office; authorizing the Sheriff of Broward County, in lieu of payment, to execute to Eric Brody and his legal guardians an assignment of all claims that the Broward County Sheriff's Office has against its insurer arising out of the insurer's handling of the claim against the sheriff's office; clarifying that such assignment does not impair the ability or right of the assignees to pursue the final judgment and cost judgment against the insurer; providing a limitation on the payment of fees and costs related to the claim against the Broward County Sheriff's Office and an exception to that limitation as to any assigned claims brought against the insurer; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

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By Senator Fasano—

**SB 44**—A bill to be entitled An act for the relief of the victims who were abused while confined to the Florida Reform School for Boys located in Marianna and Okeechobee; providing an appropriation to compensate them for injuries and damages sustained as result of the abuses perpetrated by the personnel of the reform schools; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claim Bills.

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By Senator Haridopolos—

**SB 46**—A bill to be entitled An act for the relief of William Dillon, who was wrongfully incarcerated for 27 years and exonerated by a court after DNA testing; providing an appropriation to compensate Mr. Dillon for his wrongful incarceration; directing the Chief Financial Officer to draw a warrant for the purchase of an annuity; providing for a waiver of certain tuition and fees; providing conditions for payment; providing that the act does not waive certain defenses or increase the state's liability; providing a limitation on the payment of fees and costs; providing that certain benefits are void upon a finding that Mr. Dillon is not innocent of the alleged crime; providing an effective date.

—was referred to the Special Master on Claim Bills.

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By Senator Joyner—

**SB 48**—A bill to be entitled An act for the relief of Laura D. Strazza; providing an appropriation to compensate her for injuries she sustained as a result of the negligence of an employee of the Department of Agriculture and Consumer Services; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claim Bills.

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By Senator Smith—

**SB 50**—A bill to be entitled An act for the relief of Jennifer Wohlgemuth by the Pasco County Sheriff's Office; providing for an appropriation to compensate Jennifer Wohlgemuth whose injuries were due to the negligence of the Pasco County Sheriff's Office; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

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**SB 52**—Withdrawn prior to introduction.

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By Senator Storms—

**SB 54**—A bill to be entitled An act for the relief of Melvin and Alma Colindres by the City of Miami; providing for an appropriation to compensate them for the wrongful death of their son, Kevin Colindres, sustained as a result of the negligence of police officers of the City of Miami; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

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By Senator Storms—

**SB 56**—A bill to be entitled An act for the relief of Dennis Gay; providing an appropriation to compensate Dennis Gay for injuries sustained as a result of the negligence of the Department of Transportation; providing for the use of funds; providing for the reversion of funds to the state; providing a limitation on the total amount paid for attorney's fees, lobbying fees, costs, and other similar expenses relating to the claim; providing an effective date.

—was referred to the Special Master on Claim Bills.

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**SB 58**—Withdrawn prior to introduction.

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By Senator Bogdanoff—

**SB 60**—A bill to be entitled An act for the relief of Monica Cantillo Acosta and Luis Alberto Cantillo Acosta, surviving children of Nhora Acosta by Miami-Dade County; providing for an appropriation to compensate them for the wrongful death of their mother, Nhora Acosta, due to injuries sustained as a result of the negligence of a Miami-Dade County bus driver; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

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**SB 62**—Withdrawn prior to introduction.

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By Senator Siplin—

**SB 64**—A bill to be entitled An act for the relief of Ronald Miller by the City of Hollywood; providing for an appropriation to compensate him for injuries sustained as a result of the negligence of the City of Hollywood; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

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By Senator Siplin—

**SB 66**—A bill to be entitled An act for the relief of Timothy Kulik and Theresa Ann Kulik; providing an appropriation to compensate them for injuries and damages sustained as a result of the negligence of an employee of the Department of Highway Safety and Motor Vehicles; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claim Bills.

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By Senator Fasano—

**SB 68**—A bill to be entitled An act for the relief of Irving Hoffman and Marjorie Weiss, parents of Rachel Hoffman, deceased, individually and as co-personal representatives of the Estate of Rachel Hoffman, by the City of Tallahassee; providing an appropriation to compensate them for the wrongful death of their daughter, Rachel Hoffman, as a result of negligence by employees of the Tallahassee Police Department; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

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By Senator Negron—

**SB 70**—A bill to be entitled An act for the relief of Carl Abbott by the Palm Beach County School Board; providing for an appropriation to compensate Carl Abbott for injuries sustained as a result of the negligence of the Palm Beach County School District; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

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By Senator Wise—

**SB 72**—A bill to be entitled An act for the relief of Karen W. Stripling; providing an appropriation to compensate her for damages sustained as a result of a breach of contract by the Department of Education; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claim Bills.

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**SB 74**—Withdrawn prior to introduction.

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By Senator Siplin—

**SB 76**—A bill to be entitled An act for the relief of Marissa Amora in furtherance of chapter 2008-258, Laws of Florida; providing a continuing appropriation to compensate Marissa Amora for injuries and damages sustained as a result of negligence by employees of the Department of Children and Family Services; requiring a specified legislative budget request; providing a limitation on the payment of attorney's fees and costs; providing legislative intent as to the waiver of all lien interests held by the state; providing an effective date.

—was referred to the Special Master on Claim Bills.

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By Senator Lynn—

**SB 78**—A bill to be entitled An act relating to an environmental surcharge on bottled water; establishing a surcharge on bottled water sold at retail in this state; providing an exception; requiring that moneys collected from the surcharge be deposited into the Ecosystem Management and Restoration Trust Fund; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Commerce and Tourism; and Budget.

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By Senators Lynn and Margolis—

**SB 80**—A bill to be entitled An act relating to state uniform traffic control; prohibiting the use of electronic communication devices to send or receive text-based communications while operating a motor vehicle; providing exceptions; providing a penalty; providing an effective date.

—was referred to the Committees on Transportation; Communications, Energy, and Public Utilities; and Budget.

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By Senators Lynn and Dean—

**SB 82**—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending s. 381.0065, F.S.; revising legislative intent; eliminating provisions directing the Department of Health to create and administer a statewide septic tank evaluation program; eliminating procedures and criteria for the evaluation program; amending s. 381.0066, F.S.; eliminating provisions authorizing the department to collect an evaluation report fee; eliminating provisions relating to disposition of fee proceeds and a revenue-neutral fee schedule; repealing s. 381.00656, F.S., to terminate the grant program for repair of onsite sewage treatment disposal systems identified pursuant to the evaluation program, to conform; providing an effective date.

—was referred to the Committees on Health Regulation; Environmental Preservation and Conservation; and Budget.

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By Senators Lynn, Gaetz, Thrasher, and Wise—

**SB 84**—A bill to be entitled An act relating to St. Johns River Community College; amending s. 1000.21, F.S.; renaming St. Johns River Community College as “St. Johns River State College”; amending ss. 1004.74 and 1004.75, F.S., relating to the Florida School of the Arts and the consolidation of certain training schools; conforming provisions; providing an effective date.

—was referred to the Committees on Higher Education; and Budget.

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By Senator Dockery—

**SB 86**—A bill to be entitled An act relating to voting conflicts; providing a short title; amending s. 112.3143, F.S.; providing an exception to provisions relating to voting conflicts, to conform to changes made by the act; creating s. 112.31435, F.S.; providing definitions; prohibiting a member of the Legislature from voting upon or participating in any legislation inuring to the personal gain or loss of the member or his or her relative; prohibiting a member of the Legislature from participating in any legislation inuring to the personal gain or loss of a business associate, employer, board on which the member sits, principal by whom the member is retained, or parent corporation or subsidiary of such principal; requiring that a member disclose all such interests to the applicable legislative body or committee before such legislation is considered; requiring that the member disclose the specific nature of any such interests within a specified period after the date on which a vote on the legislation occurs; requiring that such disclosure be made by written memorandum and filed with the Secretary of the Senate or the Clerk of the House of Representatives; requiring that the memorandum be recorded in the journal of the house of which the legislator is a member; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Judiciary; Rules Subcommittee on Ethics and Elections; and Rules.

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By Senator Gaetz—

**SB 88**—A bill to be entitled An act relating to public officers; prohibiting severance pay for nonelected public officers except under specified circumstances; prohibiting certain limitations on discussing an employment dispute or settlement; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; and Governmental Oversight and Accountability.

By Senator Gaetz—

**SB 90**—A bill to be entitled An act relating to financial emergencies; amending s. 163.07, F.S.; requiring a plan of a county or municipality to improve the efficiency, accountability, and coordination of the delivery of local government services to include a structural and services consolidation plan if the county or municipality is subject to review and oversight by the Governor; amending s. 218.503, F.S.; authorizing a financial emergency review board for a local governmental entity or district school board to consult with other governmental entities for the consolidation of all administrative direction and support services; authorizing the Governor or Commissioner of Education to require a local governmental entity or district school board to develop a plan for the consolidation, sourcing, or discontinuance of all administrative direction and support services; providing an effective date.

—was referred to the Committees on Community Affairs; Education Pre-K - 12; Governmental Oversight and Accountability; and Budget.

By Senator Gaetz—

**SB 92**—A bill to be entitled An act relating to group insurance for public employees; amending s. 112.08, F.S.; requiring that school districts procure certain types of insurance through interlocal agreements; providing an exception; requiring that each school district in this state enter into a specified type of interlocal agreement and establish the School District Insurance Consortium; providing purposes of the consortium; requiring that the consortium be governed by a board of directors consisting of a specified number of members; providing requirements for membership on the board; specifying terms of office for board members; authorizing the board to employ staff or contract for staffing services to be provided to the consortium; requiring that the Department of Management Services provide technical services to the consortium as requested by the board; requiring the consortium to advertise for competitive bids for health, accident, or hospitalization insurance, as well as certain insurance plans; requiring that the contracts for such insurance be let upon the basis of such bids; requiring that the consortium take certain actions and consider certain factors when defining coverage regions; authorizing the awarding of bids on a statewide or regional basis and the selection of multiple insurance providers; requiring that school districts engage in collective bargaining with the certified bargaining agent for any unit of employees for which health, accident, or hospitalization insurance is provided; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Governmental Oversight and Accountability; and Budget.

By Senator Gaetz—

**SB 94**—A bill to be entitled An act relating to blood establishments; amending s. 381.06014, F.S.; defining the term “volunteer donor”; prohibiting local governments from restricting access to public facilities or infrastructure for certain activities based on whether a blood establishment is operating as a for-profit organization or not-for-profit organization; prohibiting a blood establishment from considering whether certain customers are operating as for-profit organizations or not-for-profit organizations when determining service fees for selling blood or blood components; requiring that certain blood establishments disclose specified information on the Internet; amending s. 483.201, F.S.; providing for disciplinary action against clinical laboratories that fail to disclose specified information on the Internet; providing a maximum annual administrative fine that may be imposed annually against certain clinical laboratories for failure to comply with such disclosure requirement; amending s. 499.003, F.S.; redefining the term “health care entity” to clarify that a blood establishment may be a health care entity and engage in certain activities; amending s. 499.005, F.S.; clarifying provisions prohibiting the unauthorized wholesale distribution of a prescription drug that was purchased by a hospital or other health care entity, to conform to changes made by the act; amending s. 499.01, F.S.; exempting certain blood establishments from the requirements to be permitted as a prescription drug manufacturer and register products; requiring that certain blood establishments obtain a restricted pre-

scription drug distributor permit under specified conditions; limiting the prescription drugs that a blood establishment may distribute under a restricted prescription drug distributor permit; authorizing the Department of Health to adopt rules; providing an effective date.

—was referred to the Committees on Health Regulation; Community Affairs; and Budget.

By Senator Ring—

**SB 96**—A bill to be entitled An act relating to mammogram reports; amending ss. 627.6418, 627.6613, and 641.31095, F.S.; requiring that all mammography reports include information and a notice about breast density; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; and Budget.

**SB 98**—Withdrawn prior to introduction.

By Senator Ring—

**SB 100**—A bill to be entitled An act relating to autism; creating s. 381.986, F.S.; requiring that a physician refer a minor to an appropriate specialist for screening for autism spectrum disorder under certain circumstances; defining the term “appropriate specialist”; amending ss. 627.6686 and 641.31098, F.S.; defining the term “direct patient access”; requiring that certain insurers and health maintenance organizations provide direct patient access to an appropriate specialist for screening for or evaluation or diagnosis of autism spectrum disorder; requiring certain insurance policies and health maintenance organization contracts to provide a minimum number of visits per year for screening for or evaluation or diagnosis of autism spectrum disorder; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; and Budget.

By Senator Ring—

**SB 102**—A bill to be entitled An act relating to the Office of the Chief Technology Officer; creating the Office of the Chief Technology Officer within the Department of Financial Services; requiring that the Chief Technology Officer be appointed by the Governor and Cabinet; requiring that the office be composed of three divisions; providing duties of such divisions; requiring that the Chief Technology Officer develop a multi-year plan of action for the purpose of meeting specified objectives; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Budget.

By Senator Ring—

**SB 104**—A bill to be entitled An act relating to misdemeanor pretrial substance abuse programs; amending s. 948.16, F.S.; providing that a person who has previously been admitted to a pretrial program may qualify for a misdemeanor pretrial substance abuse program; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Ring—

**SB 106**—A bill to be entitled An act relating to public records; defining the term “publicly owned performing arts center”; creating an exemption from public-records requirements for information that identifies a donor or prospective donor of a donation made for the benefit of a publicly owned performing arts center if the donor desires to remain anonymous; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; amending s. 272.136, F.S.;

creating an exemption from public-records requirements for information identifying a donor or prospective donor to the direct-support organization of the Legislative Research Center and Museum at the Historic Capitol; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Community Affairs; Commerce and Tourism; and Governmental Oversight and Accountability.

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By Senator Ring—

**SB 108**—A bill to be entitled An act relating to public K-12 health education; amending s. 1003.46, F.S.; deleting the requirement that schools teach abstinence from sexual activity outside of marriage as the expected standard for all school-age students as part of instruction in human sexuality; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Health Regulation; and Children, Families, and Elder Affairs.

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**Senate Resolutions 110-114**—Not referenced.

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By Senator Bullard—

**SB 116**—A bill to be entitled An act relating to debtors and creditors; creating s. 687.072, F.S.; requiring lenders or creditors to verify the identity of persons applying for a loan, credit card, or extension of credit; providing that the knowing and willful use of personal identifying information of another individual creates a rebuttable presumption; providing for the forfeiture of the right to collect an indebtedness for failure to verify an applicant's identity; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Judiciary.

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By Senator Bullard—

**SB 118**—A bill to be entitled An act relating to bicycle safety; amending s. 316.2065, F.S.; revising safety standard requirements for bicycle helmets that must be worn by certain riders and passengers; providing for enforcement of requirements for bicycle lighting equipment; providing penalties for violations; providing for dismissal of the charge following a first offense under certain circumstances; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; and Budget.

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By Senator Bullard—

**SB 120**—A bill to be entitled An act relating to consumer protection; amending s. 501.005, F.S.; requiring the Department of Corrections to provide each inmate in a correctional facility the opportunity to place a security freeze on his or her consumer report; requiring the department, at the request of the inmate, to provide the appropriate forms to the inmate to initiate the security freeze process; requiring that the inmate pay all fees and expenses incurred in the application for a security freeze; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Criminal Justice; and Budget.

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By Senator Bullard—

**SB 122**—A bill to be entitled An act relating to sudden unexpected infant death; creating the "Stillbirth and SUID Education and Awareness Act"; providing legislative findings; defining terms; requiring the State Surgeon General to implement a public health awareness and education campaign in order to provide information that is focused on decreasing the risk factors for sudden unexpected infant death and sudden unexplained death in childhood; requiring the State Surgeon

General to conduct a needs assessment of the availability of personnel, training, technical assistance, and resources for investigating and determining the causes of sudden unexpected infant death and sudden unexplained death in childhood; requiring the State Surgeon General to develop guidelines for increasing collaboration in the investigation of stillbirth, sudden unexpected infant death, and sudden unexplained death in childhood; specifying the duties of the State Surgeon General related to maternal and child health programs; requiring the State Surgeon General to establish a task force to develop a research plan to determine the causes of stillbirth, sudden unexpected infant death, and sudden unexplained death in childhood and how to prevent them; providing for the membership of the task force; providing for reimbursement of per diem and travel expenses; requiring that the State Surgeon General submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by a specified date; providing an effective date.

—was referred to the Committees on Health Regulation; Criminal Justice; and Budget.

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By Senator Bullard—

**SB 124**—A bill to be entitled An act relating to probation and community control; amending ss. 948.03, 948.11, 948.101, and 948.30, F.S.; requiring the Department of Corrections to electronically monitor a person who is sentenced to probation or to community control; providing an effective date.

—was referred to the Committees on Criminal Justice; and Judiciary.

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By Senator Bullard—

**SB 126**—A bill to be entitled An act relating to private correctional facilities; amending s. 957.04, F.S.; requiring that a contractor provide certain minimum services at designated visiting areas in a private correctional facility; providing for application of the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

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By Senator Bullard—

**SB 128**—A bill to be entitled An act relating to public printing; amending s. 283.31, F.S.; revising the record requirements for agency publications; requiring the record to include the reasons for printing and distributing a publication and whether the publication is available electronically; requiring such justification to be included in the agency's legislative budget request; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Budget.

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By Senators Dean and Gaetz—

**SB 130**—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending s. 381.0065, F.S.; revising legislative intent; eliminating provisions directing the Department of Health to create and administer a statewide septic tank evaluation program; eliminating procedures and criteria for the evaluation program; repealing s. 381.00656, F.S., to terminate the grant program for repair of onsite sewage treatment disposal systems identified pursuant to the evaluation program, to conform; amending s. 381.0066, F.S.; eliminating provisions authorizing the department to collect an evaluation report fee; eliminating provisions relating to disposition of fee proceeds and a revenue-neutral fee schedule; providing an effective date.

—was referred to the Committees on Health Regulation; Environmental Preservation and Conservation; and Budget.

By Senators Joyner and Dockery—

**SB 132**—A bill to be entitled An act relating to contamination notification; amending s. 376.30702, F.S.; revising contamination notification provisions; requiring individuals responsible for site rehabilitation to provide notice of site rehabilitation to specified entities; revising provisions relating to the content of such notice; requiring the Department of Environmental Protection to provide notice of site rehabilitation to specified entities and certain property owners; providing an exemption; requiring the department to verify compliance with notice requirements; authorizing the department to pursue enforcement measures for noncompliance with notice requirements; revising the department’s contamination notification requirements for certain public schools; requiring the department to provide specified notice to private K-12 schools and child care facilities; requiring the department to provide specified notice to public schools within a specified area; providing notice requirements, including directives to extend such notice to certain other persons; requiring local governments to provide specified notice of site rehabilitation; authorizing the local government and the department to recover notification costs from responsible parties; providing a statement of important state interest; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Education Pre-K - 12; Community Affairs; and Budget.

By Senators Joyner and Dockery—

**SB 134**—A bill to be entitled An act relating to sealing criminal history records; providing a short title; amending s. 943.059, F.S.; authorizing a court to seal a criminal history record of a person who had a prior criminal history record sealed or expunged under certain circumstances; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Criminal Justice; and Judiciary.

By Senators Bennett, Lynn, Gaetz, Norman, and Dockery—

**SB 136**—A bill to be entitled An act relating to the enforcement of immigration laws; creating s. 943.0536, F.S.; providing legislative intent; prohibiting the state or its political subdivisions from limiting or restricting the enforcement of immigration laws; requiring a law enforcement officer to request citizenship information under certain circumstances; authorizing a law enforcement agency to transport an alien to a federal facility; requiring judicial authorization for the transfer of an alien outside the state; allowing governmental entities to share information regarding citizenship; authorizing citizens to sue the state or a political subdivision of the state if the state or political subdivision is restricting the enforcement of federal immigration laws; providing for recovery of attorney’s fees; providing for criminal penalties; prohibiting the probation or release of an alien who does not possess registration documents; requiring that the act be implemented consistent with federal law; prohibiting law enforcement officers from using race as a determining factor in an assessment under the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senators Bennett, Gaetz, and Dockery—

**SB 138**—A bill to be entitled An act relating to military veterans convicted of criminal offenses; creating s. 921.00242, F.S.; providing that persons convicted of criminal offenses who allege that the offenses resulted from posttraumatic stress disorder, substance abuse, or psychological problems stemming from service in a combat theater in the United States military may have a hearing on that issue before sentencing; providing that defendants found to have committed offenses due to such causes and who are otherwise eligible for probation or community control may be placed in treatment programs for an equal period of time in certain circumstances; providing for sentence credit for such defendants placed in treatment; providing a preference for treatment programs with histories of successfully treating such combat veterans; providing an effective date.

—was referred to the Committees on Criminal Justice; Children, Families, and Elder Affairs; and Budget.

By Senator Ring—

**SJR 140**—A joint resolution proposing an amendment to Section 8 of Article V of the State Constitution to increase the period of time that a person must be a member of The Florida Bar before becoming eligible for the offices of circuit court or county court judge.

—was referred to the Committees on Judiciary; and Budget.

By Senators Richter and Gaetz—

**SB 142**—A bill to be entitled An act relating to negligence; amending s. 768.81, F.S.; defining the terms “negligence action” and “products liability action”; requiring the trier of fact to consider the fault of all persons who contributed to an accident when apportioning damages in a products liability action alleging an additional or enhanced injury; providing legislative intent to overrule a judicial opinion; providing a legislative finding that fault should be apportioned among all responsible persons in a products liability action; providing for retroactive application of the act; providing a legislative finding that the retroactive application of the act does not impair vested rights; providing an effective date.

—was referred to the Committees on Judiciary; Commerce and Tourism; and Budget.

By Senator Smith—

**SB 144**—A bill to be entitled An act relating to elderly inmates; providing legislative intent; creating s. 947.148, F.S.; providing a short title; creating the Elderly Rehabilitated Inmate Supervision Program to authorize the Parole Commission to approve the early release of certain elderly inmates; providing eligibility requirements for an inmate to participate in the program; requiring that the petition to participate in the program include certain documents; authorizing members of the public to be present at meetings of the commission held to determine an inmate’s eligibility for the program; authorizing a victim to make an oral statement or provide a written statement regarding the granting, denying, or revoking of an inmate’s supervised release under the program; requiring that the commission notify the victim or the victim’s family within a specified period regarding the filing of a petition, the date of the commission’s meeting, and the commission’s decision; authorizing the commission to approve an inmate’s participation in the program under certain conditions; providing eligibility requirements that the commission must review; requiring an examiner to interview within a specified time an inmate who has filed a petition for supervised release under the program; authorizing the postponement of the interview; requiring the examiner to explain and review certain criteria during the interview; requiring that the examiner recommend a release date for the inmate; providing certain conditions under which an inmate may not be released; requiring a panel of commissioners to establish terms and conditions of the supervised release under certain circumstances; requiring that the inmate participate in community service, submit to electronic monitoring, and provide restitution to victims as a condition for participating in the program; authorizing the commission to impose special conditions of supervision; authorizing the inmate to request a review of the terms and conditions of his or her program supervision; requiring a panel of commissioners to render a decision within a specified period regarding a request to modify or continue the supervised release; providing that participation in the program is voluntary; requiring the commission to specify in writing the terms and conditions of supervision and provide a certified copy to the inmate; authorizing the trial court judge to enter an order to retain jurisdiction over the offender; providing a limitation of the trial court’s jurisdiction; providing for gain-time to accrue; providing procedures if the trial court retains jurisdiction of the inmate; requiring a correctional probation officer to supervise an inmate who is released under the program; authorizing the Department of Corrections to conduct the program using departmental employees or private agencies; requiring the department to adopt rules; creating s. 947.1481, F.S.; creating the Restorative Justice Pilot Program; requiring the Department of Corrections to develop a pilot program patterned after the juvenile justice program offered by Neighborhood Restorative Justice

Centers; requiring that inmates who are eligible to participate in the Elderly Rehabilitated Inmate Supervision Program be given priority for participating in the pilot program; providing that the pilot program be developed after consultation with specified persons; authorizing the department to conduct the pilot program using departmental employees or private agencies; requiring the department to adopt rules; amending s. 947.141, F.S.; conforming provisions to changes made by the act; authorizing a law enforcement officer to arrest an inmate under certain circumstances who has been released under the Elderly Rehabilitated Inmate Supervision Program; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

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By Senators Smith, Lynn, and Dockery—

**SB 146**—A bill to be entitled An act relating to criminal justice; providing a short title; providing legislative intent; requiring state agencies and regulatory boards to prepare reports that identify and evaluate restrictions on licensing and employment for ex-offenders; amending s. 112.011, F.S.; prohibiting state agencies from denying an application for a license, permit, certificate, or employment based on a person's lack of civil rights; providing an exception; amending s. 768.096, F.S.; requiring an employer to review the results of a criminal background investigation; requiring an employer not to place an employee who has a criminal record in a position where conduct similar to the employee's past criminal conduct would be facilitated; requiring an employer to determine that the criminal background investigation does not demonstrate that the employee is unsuitable for the particular work to be performed or the context of the employment in general; amending s. 943.0585, F.S.; clarifying under what circumstances a person may legally deny the existence of an expunged criminal history record; authorizing the disclosure of the contents of an expunged record upon receipt of a written, notarized request from the record subject; requiring clerks of the court to post information relating to procedures to seal or expunge criminal history records on the clerk's website; amending s. 943.059, F.S.; clarifying under what circumstances a person may legally deny the existence of a sealed criminal history record; authorizing a court to seal a criminal history record of a person who had a prior criminal history record sealed or expunged; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Criminal Justice; and Judiciary.

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By Senator Smith—

**SB 148**—A bill to be entitled An act relating to criminal prosecution of juveniles; amending s. 985.557, F.S.; providing additional circumstances for the direct filing of charges against certain juveniles; providing criteria for determining when a case against a juvenile should be recommended to the court to be transferred for criminal prosecution; providing criteria for consideration of a child's request to an adult court to return a criminal case to the juvenile justice system; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

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By Senator Smith—

**SB 150**—A bill to be entitled An act relating to career and education planning; amending s. 1003.4156, F.S.; revising the general requirements for middle grades promotion to require that a course in career and education planning explore the National Career Clusters; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Commerce and Tourism; and Budget.

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By Senator Bullard—

**SB 152**—A bill to be entitled An act relating to congenital craniofacial anomalies; requiring the Agency for Health Care Administration, in consultation with the Office of Insurance Regulation, to conduct a study

concerning the medical necessity, costs, and efficacy of mandating coverage for certain treatments and therapies; requiring that the agency report its findings and recommendations to the Legislature; providing an appropriation; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Regulation; and Budget.

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By Senator Bullard—

**SB 154**—A bill to be entitled An act relating to juvenile justice education programs; amending s. 1003.52, F.S.; requiring that the Department of Education submit to the Legislature an annual report that includes student learning gains and student progression in juvenile justice education programs and details the methodology that the department uses to ensure that the student performance data is complete and reliable; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Criminal Justice; and Budget.

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By Senator Detert—

**SB 156**—A bill to be entitled An act relating to renewable energy; amending s. 366.91, F.S.; requiring that a purchase contract offered to producers of renewable energy contain payment provisions for energy and capacity based upon a public utility's equivalent cost-recovery rate for certain clean energy projects rather than the utility's full avoided costs; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; and Budget.

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By Senators Detert, Margolis, Dockery, and Lynn—

**SB 158**—A bill to be entitled An act relating to the use of wireless communications devices while driving; creating s. 316.305, F.S.; creating the "Florida Ban on Texting While Driving Law"; providing legislative intent; prohibiting the operation of a motor vehicle while using a wireless communications device for certain purposes; providing a definition; providing exceptions; specifying information that is admissible as evidence of a violation; providing penalties; providing for enforcement as a secondary action; amending s. 322.27, F.S.; providing for points to be assessed against a driver's license for the unlawful use of a wireless communications device resulting in a crash; providing an effective date.

—was referred to the Committees on Transportation; Communications, Energy, and Public Utilities; and Budget.

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By Senator Joyner—

**SB 160**—A bill to be entitled An act relating to parole for juvenile offenders; providing a short title; amending s. 947.16, F.S.; providing definitions; providing that a juvenile offender who was less than 18 years of age at the time of commission of a nonhomicide offense and who is sentenced to life imprisonment is eligible for parole if the offender has been incarcerated for a minimum period; requiring an initial eligibility interview to determine whether the juvenile offender has demonstrated maturity and reform for parole; providing criteria to determine maturity and reform; providing eligibility for a reinterview after a specified period for juvenile offenders denied parole; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

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By Senator Sobel—

**SB 162**—A bill to be entitled An act relating to tanning facilities; amending s. 381.89, F.S.; requiring that the operator or proprietor of a tanning facility witness the signing of a written statement by the parent or legal guardian of a minor before the minor is allowed to use a tanning device; providing requirements for the written statement; prohibiting a minor younger than a certain age from using a tanning device at a

tanning facility; deleting provisions authorizing the use of a tanning device by certain minors if accompanied by a parent or legal guardian; allowing use of a tanning device by certain minors as treatment prescribed by a health care provider; providing an effective date.

—was referred to the Committees on Health Regulation; Judiciary; and Budget.

By Senator Sobel—

**SB 164**—A bill to be entitled An act relating to the public broadcasting program system; amending s. 1001.26, F.S.; including certain television stations licensed by the Federal Communications Commission for which support and funding may be given; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

By Senator Hill—

**SB 166**—A bill to be entitled An act relating to forensic services; amending s. 916.105, F.S.; providing legislative intent that forensic services be provided to a person charged with a misdemeanor as well as a felony offense; amending ss. 916.106, 916.107, 916.13, and 916.302, F.S., relating to definitions, the rights of forensic clients, the involuntary commitment of a defendant with mental illness, and the involuntary commitment of a defendant determined to be incompetent; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; Judiciary; and Budget.

By Senators Evers and Gaetz—

**SB 168**—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending s. 381.0065, F.S.; deleting legislative intent relating to onsite sewage treatment and disposal systems; eliminating provisions directing the Department of Health to create and administer a statewide septic tank evaluation program; eliminating procedures and criteria for the evaluation program; amending s. 381.0066, F.S.; eliminating provisions authorizing the department to collect an evaluation report fee; eliminating provisions relating to disposition of fee proceeds and a revenue-neutral fee schedule; repealing s. 381.00656, F.S., relating to the grant program for the repair of onsite sewage treatment disposal systems identified pursuant to the evaluation program, to conform; providing an effective date.

—was referred to the Committees on Health Regulation; Environmental Preservation and Conservation; and Budget.

By Senator Bennett—

**SB 170**—A bill to be entitled An act relating to electronic filing of court documents; creating ss. 27.341 and 27.5112, F.S.; providing legislative intent; requiring that each state attorney and public defender implement a system by which the state attorney and public defender can electronically file court documents with the clerk of the court; requiring that the Florida Prosecuting Attorneys Association and the Florida Public Defender Association report to the President of the Senate and the Speaker of the House of Representatives by a specified date on the progress made in implementing the electronic filing system; providing an effective date.

—was referred to the Committees on Judiciary; and Budget.

By Senator Bennett—

**SB 172**—A bill to be entitled An act relating to security cameras; reenacting s. 163.31802, F.S., relating to prohibited standards for security cameras; providing for retroactive operation of the act; providing for an exception under specified circumstances; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; and Budget.

By Senators Bennett and Gaetz—

**SB 174**—A bill to be entitled An act relating to growth management; reenacting s. 1, chapter 2009-96, Laws of Florida, relating to a short title; reenacting s. 163.3164(29) and (34), F.S., relating to the definition of “urban service area” and “dense urban land area” for purposes of the Local Government Comprehensive Planning and Land Development Regulation Act; reenacting s. 163.3177(3)(b) and (f), (6)(h), and (12)(a) and (j), F.S., relating to certain required and optional elements of a comprehensive plan; reenacting s. 163.3180(5), (10), and (13)(b) and (e), F.S., relating to concurrency requirements for transportation facilities; reenacting s. 163.31801(3)(d), F.S., relating to a required notice for a new or increased impact fee; reenacting s. 163.3184(1)(b) and (3)(e), F.S., relating to the process for adopting a comprehensive plan or plan amendment; reenacting s. 163.3187(1)(b), (f), and (q), F.S., relating to amendments to a comprehensive plan; reenacting s. 163.32465(2), F.S., relating to a pilot program to provide an alternative to the state review process for local comprehensive plans; reenacting s. 171.091, F.S., relating to the recording of any change in municipal boundaries; reenacting s. 186.509, F.S., relating to a dispute resolution process for reconciling differences concerning planning and growth management issues; reenacting s. 380.06(7)(a), (24), (28), and (29), F.S., relating to certain exemptions from review provided for proposed developments of regional impact; reenacting ss. 13, 14, and 34 of chapter 2009-96, Laws of Florida, relating to a study and report concerning a mobility fee, the extension and renewal of certain permits issued by the Department of Environmental Protection or a water management district, and a statement of important state interest; providing a legislative finding of important state interest; providing for retroactive operation of the act with respect to provisions of law amended or created by chapter 2009-96, Laws of Florida; providing for an exception under specified circumstances; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Budget.

By Senators Bennett and Gaetz—

**SB 176**—A bill to be entitled An act relating to affordable housing; reenacting s. 159.807(4), F.S., relating to the state allocation pool used to confirm private activity bonds; reenacting s. 193.018, F.S., relating to lands that are owned by a community land trust and used to provide affordable housing; reenacting s. 196.196(5), F.S., relating to a tax exemption provided to organizations that provide low-income housing; reenacting s. 196.1978, F.S., relating to a property exemption for affordable housing owned by a nonprofit entity; reenacting s. 212.055(2)(d), F.S., relating to the use of a local government infrastructure surtax; reenacting s. 163.3202(2), F.S., relating to requirements for local land development regulations; reenacting s. 420.503(25), F.S., relating to a definition under the Florida Housing Finance Corporation Act; reenacting s. 420.507(47), F.S., relating to powers of the corporation to select developers and general contractors; reenacting s. 420.5087(6)(c) and (l), F.S., relating to the State Apartment Incentive Loan Program; reenacting s. 420.622(5), F.S., relating to the State Office on Homelessness; reenacting s. 420.628, F.S., relating to affordable housing for children and young adults leaving foster care; reenacting s. 420.9071(4), (8), (16), (25), (29), and (30), F.S., relating to definitions under the State Housing Initiatives Partnership Act; reenacting s. 420.9072(6) and (7), F.S., relating to the distribution of funds under the State Housing Initiatives Partnership Program; reenacting s. 420.9073(1), (2), (5), (6), and (7), F.S., relating to distributions of local housing funds; reenacting s. 420.9075(1), (3), (5), (8), (10)(a) and (h), (13)(b), and (14), F.S., relating to local housing assistance plans; reenacting s. 420.9076(2)(h), (5), (6), and (7)(a), F.S., relating to the adoption of affordable housing incentive strategies by the governing board of a county or municipality; repealing s. 420.9078, F.S., relating to the state administration of funds remaining in the Local Government Housing Trust Fund; reenacting s. 420.9079, F.S., relating to the Local Government Housing Trust Fund; reenacting s. 1001.43(12), F.S., relating to the use by school districts of certain lands for affordable housing; providing for retroactive operation of the act with respect to provisions of law amended, created, or repealed by chapter 2009-96,

Laws of Florida; providing for an exception under specified circumstances; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Budget.

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By Senator Oelrich—

**SB 178**—A bill to be entitled An act relating to commercial insurance rates; amending s. 627.062, F.S.; exempting certain liability and property insurance lines from specific rate standards and filing requirements; revising certain reporting and recordkeeping requirements for such exempt insurers and certain rating organizations regarding rate changes; deleting a provision that permits the Office of Insurance Regulation of the Financial Services Commission to require such insurers to provide certain information regarding rates at the insurer's expense; amending s. 627.0651, F.S.; exempting certain commercial motor vehicle insurance from specific rate standards and filing requirements; revising certain reporting and recordkeeping requirements for such exempt insurers and certain rating organizations regarding rate changes; deleting a provision that permits the Office of Insurance Regulation of the Financial Services Commission to require such insurers to provide certain information regarding rates at the insurer's expense; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce and Tourism; and Budget.

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By Senator Sobel—

**SB 180**—A bill to be entitled An act relating to health insurance; creating ss. 627.6404, 627.6572, and 641.31093, F.S.; requiring all antiretroviral agents to be included on health plan formularies; prohibiting access-limiting procedures used to restrict antiretroviral agents prescribed to treat a person with HIV; amending s. 627.6515, F.S.; including reference to such requirements on policies issued by out-of-state groups; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Regulation; and Budget.

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By Senator Sobel—

**SB 182**—A bill to be entitled An act relating to primary sponsors of legislation; authorizing the naming of certain primary sponsors of legislation in the short title of a bill and its companion when agreed to by all primary sponsors of the bill and its companion; providing an effective date.

—was referred to the Committees on Judiciary; and Rules.

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**Senate Resolutions 184-194**—Not referenced.

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By Senator Fasano—

**SB 196**—A bill to be entitled An act relating to Choose Life license plates; amending s. 320.08058, F.S.; providing for the annual use fees to be distributed to Choose Life, Inc., rather than the counties; providing for Choose Life, Inc., to redistribute a portion of such funds to non-governmental, not-for-profit agencies that assist certain pregnant women; authorizing Choose Life, Inc., to use a portion of the funds to administer and promote the Choose Life license plate program; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; and Budget.

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By Senator Fasano—

**SB 198**—A bill to be entitled An act relating to placement agents; amending s. 215.47, F.S.; prohibiting state investment funds from being used to pay the fees or commissions of placement agents; requiring the

State Board of Administration to deal directly with private equity firms and companies issuing securities; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Banking and Insurance; and Budget.

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By Senator Fasano—

**SB 200**—A bill to be entitled An act relating to nuclear and integrated gasification combined cycle power plants; repealing s. 366.93, F.S., relating to cost recovery for the siting, design, licensing, and construction of nuclear and integrated gasification combined cycle power plants; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Regulated Industries; and Budget.

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By Senators Fasano and Sobel—

**SB 202**—A bill to be entitled An act relating to ice skating rinks; amending s. 381.006, F.S.; requiring the Department of Health to include in its environmental health program the testing of the air in enclosed ice skating rinks; authorizing the department to adopt rules relating to air quality standards, monitoring, testing, recordkeeping, the maintenance and operation of equipment that affects air quality, assessment of fees, enforcement, and penalties; authorizing the department to enter and inspect an enclosed ice skating rink at reasonable hours to determine compliance with applicable air quality statutes or rules; amending s. 381.0061, F.S.; authorizing the department to impose a fine, which may not exceed a specified amount, for a violation of air quality standards for enclosed ice skating rinks; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; and Budget.

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By Senator Wise—

**SB 204**—A bill to be entitled An act relating to controlled substances; amending s. 893.02, F.S.; defining the term "homologue" for purposes of the Florida Comprehensive Drug Abuse Prevention and Control Act; amending s. 893.03, F.S.; including certain hallucinogenic substances on the list of controlled substances in Schedule I; reenacting ss. 893.13(1), (2), (4) and (5), 893.135(1)(l), and 921.0022(3)(b), (c), and (e), F.S., relating to prohibited acts and penalties regarding controlled substances and the offense severity chart of the Criminal Punishment Code, to incorporate the amendment to s. 893.03, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Health Regulation; Judiciary; and Budget.

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By Senators Fasano, Rich, and Gaetz—

**SB 206**—A bill to be entitled An act relating to domestic violence against family pets; amending s. 741.28, F.S.; redefining the term "domestic violence" to include inflicting, or attempting to inflict, physical injury against an animal owned, possessed, leased, kept, or held by one family or household member by another family or household member, or placing a family or household member in fear of physical harm to an animal owned, possessed, leased, kept, or held by that family or household member; amending s. 741.30, F.S.; providing that a court may issue an injunction for protection against domestic violence granting the petitioner the exclusive care, custody, or control of any animal owned, possessed, leased, kept, or held by the petitioner, the respondent, or a minor child residing in the residence or household of the petitioner or respondent; amending s. 741.31, F.S.; providing that it is a first-degree misdemeanor for a person to willfully violate an injunction for protection against domestic violence by knowingly and intentionally injuring or threatening to injure any animal owned, possessed, leased, kept, or held by the petitioner, the respondent, or a minor child of the petitioner or respondent; providing criminal penalties; reenacting s. 901.15(7), F.S., relating to an arrest without warrant by a law enforcement officer, to



incorporate the amendment made to s. 741.31, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

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By Senators Fasano and Gaetz—

**SB 208**—A bill to be entitled An act relating to persons with disabilities; amending s. 393.13, F.S.; providing that persons with developmental disabilities have a right to be free from negligence; specifying that entities as well as individuals are liable for damages; amending s. 509.092, F.S.; prohibiting the operator of a public lodging or food establishment from discriminating on the basis of disability; amending s. 760.01, F.S.; conforming provisions to changes made by the act; substituting the term “disability” for the term “handicap”; reordering and amending s. 760.02, F.S.; conforming provisions to changes made by the act; redefining the term “public accommodations”; amending ss. 760.05, 760.07, 760.08, and 760.10, F.S.; conforming provisions to changes made by the act; substituting the term “disability” for the term “handicap”; amending s. 760.11, F.S.; applying administrative and civil remedies available under the Florida Civil Rights Act of 1992 to certain violations against persons with disabilities; creating s. 760.15, F.S.; creating the “Floridians with Disabilities Act”; providing legislative intent; adopting the federal Americans with Disabilities Act into state law and making it part of the Florida Civil Rights Act of 1992; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Commerce and Tourism; Judiciary; and Budget.

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By Senators Fasano and Gaetz—

**SJR 210**—A joint resolution proposing an amendment to Section 4 of Article VII and the creation of a new section in Article XII of the State Constitution to prohibit increases in the assessed value of homestead property if the fair market value of the property decreases and to provide an effective date.

—was referred to the Committees on Community Affairs; Judiciary; and Budget.

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By Senators Fasano, Gaetz, and Dockery—

**SB 212**—A bill to be entitled An act relating to the Public Service Commission; amending s. 350.041, F.S.; revising the standards of conduct for commissioners of the Public Service Commission; requiring that commissioners observe and abide by the Code of Judicial Conduct while conducting docketed proceedings; providing for statutory preemption; providing for penalties; amending s. 350.042, F.S.; deleting references to “ex parte communications” and replacing such references with “prohibited communications”; providing a purpose; providing legislative intent; providing definitions; prohibiting a commissioner or the commissioner’s direct reporting staff from initiating, engaging in, or considering prohibited communications in any proceeding other than an undocketed workshop or an internal affairs meeting; prohibiting any individual from discussing any matter with a commissioner or the commissioner’s direct reporting staff which the individual reasonably foresees will be filed with the commission; requiring that any communication between a commissioner or the commissioner’s direct reporting staff and a representative of a utility be made available to the public; requiring that any communication be posted on the commission’s website within a specified time after the communication is made or received; requiring that the commission post on its website a copy of written communications received by the commission; requiring that the commission prepare a written summary of certain communications and post such summary on its website within a specified time after the communication is made or received; requiring that notice be posted on the commission’s website a minimum number of hours before the occurrence of any meeting, telephone conference call, or written communication between a commissioner or the commissioner’s direct reporting staff; authorizing the Office of Public Counsel to participate in such communications for limited purposes; providing an exception for certain commission staff or industry representatives; providing that the restrictions on prohibited communications apply to communications made to or from the Governor, a member of the Cabinet, or a member of the Legislature; providing pe-

alties for commissioners or members of a commissioner’s direct reporting staff who fail to report certain communications; amending s. 350.0605, F.S.; prohibiting former commissioners and members of a commissioner’s direct reporting staff from lobbying the legislative or executive branch of state government on behalf of any client or industry regulated by the commission for 4 years after termination of service or employment with the commission; defining the term “commissioner’s direct reporting staff”; prohibiting any former commissioner’s direct reporting staff from appearing before the commission representing any client or industry regulated by the commission for 4 years after termination of employment with the commission; providing that such prohibitions apply to commissioners and their direct reporting staff who are appointed or reappointed to or who terminate their employment with the commission on or after a specified date; prohibiting a former commissioner or member of a commissioner’s direct reporting staff from accepting employment by or compensation from certain entities regulated by the commission for a period of 4 years after termination of service or employment with the commission; providing that the prohibition applies to former commissioners and members of a commissioner’s direct reporting staff who are appointed or reappointed to or hired with the commission on or after a specified date; amending s. 350.061, F.S.; extending reconfirmation intervals for the Public Counsel from biennially to every 4 years; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Judiciary; and Governmental Oversight and Accountability.

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By Senators Gaetz and Latvala—

**SM 214**—A memorial to the Congress of the United States, urging Congress to support the tax-relief provisions of H.R. 5699 and S. 3934, relating to the Deepwater Horizon Oil Spill of 2010.

—was referred to the Committees on Community Affairs; and Budget.

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By Senators Gaetz and Latvala—

**SM 216**—A memorial to the Congress of the United States, urging Congress to exempt from federal income tax payments made to victims of the Deepwater Horizon oil disaster and to extend the net operating loss carryback period from 2 years to 5 years.

—was referred to the Committees on Community Affairs; and Budget.

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By Senators Gaetz, Latvala, and Sobel—

**SM 218**—A memorial to the Congress of the United States, urging Congress to dedicate penalties collected from parties responsible for the Deepwater Horizon oil disaster to repairing the environmental and economic damage caused by the disaster.

—was referred to the Committees on Community Affairs; and Budget.

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By Senator Gaetz—

**SM 220**—A memorial to the Congress of the United States, urging Congress to enact a law providing unemployment assistance for individuals who become unemployed as a result of an oil spill.

—was referred to the Committees on Community Affairs; and Budget.

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By Senator Fasano—

**SB 222**—A bill to be entitled An act relating to game promotions; amending s. 849.094, F.S.; requiring operators of certain electronic-based game promotions to comply with specified requirements governing game promotions; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Regulated Industries; and Budget.

By Senator Dean—

**SB 224**—A bill to be entitled An act relating to local government accountability; amending s. 11.40, F.S., relating to the Legislative Auditing Committee; clarifying when the Department of Community Affairs may institute procedures for declaring that a special district is inactive; amending s. 30.49, F.S.; specifying the level of detail required for each fund in the sheriff's proposed budget; revising the categories for expenditures; amending s. 112.63, F.S., relating to the review of the actuarial reports and statements of retirement plans of governmental entities by the Department of Management Services; providing that the failure of a special district to make appropriate adjustments or provide additional information authorizes the department to seek a writ of certiorari; amending s. 129.01, F.S.; revising provisions relating to the preparation of county budgets; specifying the level of detail required for each fund in the budget; amending s. 129.02, F.S.; revising provisions relating to the preparation of special district budgets; specifying the level of detail required for each fund in the budget; amending s. 129.021, F.S.; conforming cross-references; amending s. 129.03, F.S.; deleting a time restriction on preparing and presenting a tentative county budget; requiring tentative county budgets to be posted on the county's website; amending s. 129.06, F.S.; revising provisions relating to the execution and amendment of county budgets; requiring revised budgets to be posted on the county's website; amending s. 129.07, F.S.; revising provisions relating to the prohibition against exceeding the county budget; amending s. 129.201, F.S.; conforming and revising provisions relating to the budget of the supervisor of elections; specifying the level of detail required for each fund in the proposed budget; revising expenditure categories; amending s. 166.241, F.S.; revising provisions relating to the preparation or amendment of municipal budgets; specifying the level of detail for each fund in the budget; requiring such budgets and amendments to such budgets to be posted on the website of the municipality or related county; amending s. 189.4044, F.S.; adding failure to file a registered office or agent with the department for 1 or more years as a criteria for declaring a special district inactive; amending s. 189.412, F.S.; adding the Legislative Auditing Committee to the list of entities that obtain special district noncompliance status reports; amending s. 189.418, F.S.; revising provisions relating to the preparation or amendment of special district budgets; specifying the level of detail for each fund in the budget; requiring such budgets to be posted on the website of the special district or related local general-purpose government or governing authority; specifying how the budget may be amended under certain circumstances; requiring special districts to comply with certain reporting requirements; authorizing a local governing authority to request certain financial information from special districts located solely within the boundaries of the authority; requiring special districts to cooperate with such requests; amending s. 189.419, F.S.; revising procedures relating to a special district's failure to file certain reports or information; amending s. 189.421, F.S.; revising procedures relating to the failure of a special district to disclose financial reports; authorizing the Department of Community Affairs to seek a writ of certiorari; amending s. 195.087, F.S.; requiring the final approved budget of the property appraiser and tax collector to be posted on their respective website or, if not available, the county's website; amending s. 218.32, F.S.; revising the schedule for submitting a local governmental entity's audit and annual financial reports to the Department of Financial Services; requiring the department to notify the Special District Information Program if it does not receive a financial report from a local governmental entity; requiring a local governmental entity to provide a link to the entity's financial report on the department's website; amending s. 218.35, F.S.; requiring the budget for certain county-related duties to be itemized in accordance with the uniform accounting system of the Department of Financial Services; specifying the level of detail for each fund in the clerk of the court's budget; requiring the court clerk's approved budget to be posted on the county's website; amending s. 218.39, F.S.; revising the timeframe for completing a local governmental entity's annual financial audit; requiring that an auditor prepare an audit report; requiring that such report be filed with the Auditor General within a specified time; requiring that the Auditor General notify the Legislative Auditing Committee of any audit report indicating that an audited entity has failed to take corrective action; requiring that the chair of a local governmental entity appear before the committee under certain circumstances; amending s. 218.503, F.S.; revising provisions relating to oversight by the Governor when an entity's financial statements show it cannot cover a deficit of funds; amending s. 373.536, F.S.; requiring that water management district budgets be posted on the district website; amending s. 1011.03, F.S.; requiring the summary of the tentative

budget, the tentative budget, and the budget of a district school board to be posted on the district's official website; amending s. 1011.051, F.S.; revising provisions relating to the guidelines for district school boards to maintain an ending fund balance for the general fund; amending s. 1011.64, F.S.; updating obsolete accounting terminology for school districts; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Budget.

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By Senators Smith and Gaetz—

**SB 226**—A bill to be entitled An act relating to human services; creating s. 287.0576, F.S.; providing definitions; allowing the national accreditation of human service providers to substitute for certain agency licensure and monitoring requirements; providing exceptions; requiring a single lead agency to be responsible for monitoring human services delivery for designated populations; requiring the lead agency to develop monitoring protocols, develop a plan for coordinating monitoring activities, adopt rules, provide a list of required documents, and develop forms by a certain date; providing that background screening conducted for one agency satisfies the screening requirements of other agencies; requiring the agency to accept all mandated reports and invoices electronically and to allow all core documents to be posted in secure electronic storage; requiring agencies to provide an analysis of every new governmental mandate to an affected contractor before the mandate may be required or imposed; requiring a contracting agency to negotiate a contract amendment for any material change to a contract that will have a financial impact on a contractor; requiring human service contracts to include a cost-of-living adjustment or allow the contractor to reduce services; providing an exception under certain circumstances; requiring a contract to ensure payment for undisputed issues, not allow a private entity performing contract monitoring to impose additional requirements, and allow unexpended funds to be carried forward; providing that failure by an agency to negotiate a contract amendment or provide a remedy to a material adverse impact of a new governmental mandate constitutes an agency action for the purposes of ch. 120, F.S.; requiring each agency to compile a list of contractor requirements and submit such list to the Governor; amending s. 216.136, F.S.; requiring the Social Services Estimating Conference to determine mental health, substance abuse, child welfare, and juvenile justice services needs; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; Governmental Oversight and Accountability; and Budget.

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By Senator Siplin—

**SB 228**—A bill to be entitled An act relating to the code of student conduct; amending s. 1006.07, F.S.; requiring the district school board to include in the code of student conduct adopted by the board an explanation of the responsibilities of each student with regard to appropriate dress and respect for self and others and the role that appropriate dress and respect for self and others has on an orderly learning environment; requiring each district school board to adopt a dress code policy that prohibits a student, while on the grounds of a public school during the regular school day, from wearing clothing that exposes underwear or body parts in an indecent or vulgar manner or that disrupts the orderly learning environment; providing disciplinary actions for students who violate the dress code; amending s. 1006.15, F.S.; providing that adherence to appropriate dress and other codes of student conduct is a prerequisite for a student to be eligible to participate in interscholastic extracurricular student activities; reenacting s. 1002.23(7), F.S., relating to a parent guide to successful student achievement to be adopted by each school district board, to incorporate the amendment made to s. 1006.07, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Judiciary; and Budget.

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By Senators Detert and Dockery—

**SB 230**—A bill to be entitled An act relating to the enforcement of immigration laws; providing a short title; creating s. 287.0576, F.S.; providing definitions; prohibiting agencies from entering into a contract for contractual services with contractors that are not registered and participating by a specified date in a federal work-authorization program; providing procedures and requirements with respect to the registration of contractors and subcontractors; providing for enforcement; providing a schedule for phased compliance; requiring the Department of Management Services to adopt rules; creating s. 337.163, F.S.; providing definitions; prohibiting the Department of Transportation from entering into a contract for contractual services with contractors that are not registered and participating by a specified date in a federal work-authorization program; providing procedures and requirements with respect to the registration of contractors and subcontractors; providing for enforcement; providing a schedule for phased compliance; requiring the department to adopt rules; amending s. 943.0311, F.S.; requiring the Chief of Domestic Security to negotiate the terms of a memorandum of understanding between the state and certain Federal Government entities concerning the enforcement of federal immigration and customs laws, the detention and removal of individuals not lawfully present in the United States, investigations related to illegal immigration in the state, and the establishment of specified training standards and the creation of specified training programs for law enforcement officers; providing that the establishment of training standards and the creation of training programs is contingent upon federal funding; providing that law enforcement officers trained in accordance with such standards are authorized to enforce federal immigration and customs laws while performing within the scope of their authorized duties; creating s. 951.30, F.S.; providing requirements and procedures with respect to the determination of lawful immigration status of persons charged with a crime and confined to a county or municipal detention facility; providing for construction; requiring the Florida Sheriffs Association to prepare and issue specified guidelines and procedures; creating part IV of ch. 23, F.S.; requiring agencies to verify by a specified date the lawful presence in the United States of any natural person 18 years of age or older who has applied for state or local public benefits, or for federal public benefits, which are administered by the agency; providing for enforcement; providing exceptions; requiring the Board of Governors of the State University System to set forth policies regarding postsecondary education benefits; providing procedures and requirements with respect to verification by an agency of an individual's lawful presence in the United States; providing a penalty for knowingly and willfully making a false, fictitious, or fraudulent statement or representation in an affidavit attesting to citizenship or permanent legal residency; providing procedures with respect to verification of eligibility for benefits; prohibiting an agency from providing any state, local, or federal benefit in violation of the requirements of the act; providing for specified annual reports; clarifying that certain attestations do not constitute a crime; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; Higher Education; and Budget.

By Senator Bennett—

**SB 232**—A bill to be entitled An act relating to the Century Commission for a Sustainable Florida; amending s. 163.3247, F.S.; revising provisions relating to the Century Commission for a Sustainable Florida; revising the findings and intent to include the necessity for a specific strategic plan addressing the state's growth management system; revising the planning timeframes to include a 10-year horizon; revising membership of the commission; deleting obsolete provisions regarding initial appointments; providing for the election of a chair and excluding certain members from serving as chair during a specified period; requiring that the commission meet at least six times per fiscal year; deleting a provision that requires the commission to meet in different regions in the state; requiring that the executive director establish a meeting calendar with the commission's approval; authorizing the commission to form subcommittees by vote; providing for a majority vote of members on commission actions; providing for reimbursement for per diem and travel expenses; revising provisions relating to the commission's powers and duties; requiring that the commission, in cooperation with interested state agencies, local governments, and nongovernmental stakeholders, develop a strategic plan and submit the plan to the Governor and the Legislature by a specified date; requiring that the com-

mission also submit progress reports by specified dates; requiring that the commission make presentations to the Governor and the Legislature; providing that an executive director be appointed by the Secretary of Community Affairs and ratified by the commission; requiring that the Department of Community Affairs provide a specific line item in its annual legislative budget request to fund the commission during a specified period; authorizing the department to obtain additional funding through external grants; requiring that the department provide sufficient funding and staff support to assist the commission in its duties; providing for future expiration and the abolishment of the commission; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Budget.

By Senators Evers, Dockery, Lynn, Hays, Norman, and Negron—

**SB 234**—A bill to be entitled An act relating to firearms; amending s. 790.06, F.S.; providing that a person in compliance with the terms of a concealed carry license may carry openly notwithstanding specified provisions; allowing the Division of Licensing of the Department of Agriculture and Consumer Services to take fingerprints from concealed carry license applicants; limiting a prohibition on carrying a concealed weapon or firearm into an elementary or secondary school facility, career center, or college or university facility to include only a public elementary or secondary school facility or administration building; providing that concealed carry licensees shall not be prohibited from carrying or storing a firearm in a vehicle for lawful purposes; repealing s. 790.28, F.S., relating to the purchase of rifles and shotguns in contiguous states; amending s. 790.065, F.S.; providing that specified provisions do not apply to certain firearms transactions by a resident of this state which take place in another state; providing applicable law; requiring a specified background check for such transactions; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Rules.

By Senator Hays—

**SB 236**—A bill to be entitled An act relating to state parks; amending s. 258.0145, F.S.; providing for the parents of certain deceased veterans to receive lifetime annual entrance passes to state parks at no charge; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Environmental Preservation and Conservation; and Budget.

By Senators Altman, Benacquisto, and Latvala—

**SB 238**—A bill to be entitled An act relating to child safety devices in motor vehicles; amending s. 316.613, F.S.; providing child-restraint requirements for children ages 4 through 7 years of age who are less than a specified height; providing certain exceptions; redefining the term "motor vehicle" to exclude certain vehicles from such requirements; providing a grace period; providing effective dates.

—was referred to the Committees on Transportation; Criminal Justice; and Budget.

By Senator Joyner—

**SB 240**—A bill to be entitled An act relating to violations of injunctions for protection; amending s. 784.047, F.S.; adding circumstances that violate an injunction for protection against repeat violence, sexual violence, or dating violence; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Joyner—

**SB 242**—A bill to be entitled An act relating to voter information cards; amending s. 97.071, F.S.; requiring that voter information cards contain the address of the polling place of the registered voter; requiring a supervisor of elections to issue a new voter information card to a voter upon a change in a voter's address of legal residence or a change in a voter's polling place address; providing instructions for implementation by the supervisors of elections; providing an effective date.

—was referred to the Committees on Rules Subcommittee on Ethics and Elections; Rules; Judiciary; and Budget.

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By Senator Bennett—

**SB 244**—A bill to be entitled An act relating to motor vehicles; creating the "Highway Safety Act"; providing legislative intent relating to road rage and aggressive careless driving; amending s. 316.003, F.S.; defining the term "road rage"; amending s. 316.083, F.S.; requiring an operator of a motor vehicle to yield the left lane when being overtaken on a multilane highway; providing exceptions; amending s. 316.1923, F.S.; revising the number of specified acts necessary to qualify as an aggressive careless driver; providing specified punishments for aggressive careless driving; specifying the allocation of moneys received from the increased fine imposed for aggressive careless driving; amending s. 318.19, F.S.; providing that a second or subsequent infraction as an aggressive careless driver requires attendance at a mandatory hearing; requiring the Department of Highway Safety and Motor Vehicles to provide information about the Highway Safety Act in driver's license educational materials; reenacting s. 316.650(1)(a), F.S., relating to traffic citations, to incorporate the amendments made to s. 316.1923, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Transportation; Health Regulation; and Budget.

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By Senators Joyner and Margolis—

**SB 246**—A bill to be entitled An act relating to human trafficking; creating s. 480.0535, F.S.; specifying documents that must be possessed by each person providing or offering to provide massage services in certain circumstances; requiring presentation of such documents upon request of a law enforcement officer; requiring operators of massage establishments to maintain valid work authorization documents on the premises for each employee who is not a United States citizen; requiring presentation of such documents upon request of a law enforcement officer; prohibiting a person from providing or offering to provide massage services without possession of a license and specified documentation; prohibiting the use of a massage establishment license for the purpose of lewdness, assignation, or prostitution; providing criminal penalties; amending s. 921.0022, F.S.; including within the severity ranking chart of the Criminal Punishment Code certain offenses prohibited by the act; providing an effective date.

—was referred to the Committees on Health Regulation; Criminal Justice; and Budget.

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By Senator Gaetz—

**SB 248**—A bill to be entitled An act relating to economic recovery from the Deepwater Horizon disaster; amending s. 220.191, F.S.; waiving the requirement that a facility located in certain counties of this state be in a high-impact sector in order to qualify for the capital investment tax credit; creating s. 252.363, F.S.; tolling and extending the expiration dates of certain building permits or other authorizations following the declaration of a state of emergency by the Governor; providing exceptions; providing for the laws, administrative rules, and ordinances in effect when the permit was issued to apply to activities described in a permit or other authorization; providing an exception; amending s. 253.02, F.S.; requiring the Board of Trustees of the Internal Improvement Trust Fund to recommend to the Legislature whether existing multistate compacts for mutual aid should be modified or if a new multistate compact is necessary to address the Deepwater Horizon event or similar future incidents; amending s. 288.106, F.S.; providing a special incentive under the tax refund program for a limited time for a

qualified target industry business that relocates from another state to certain counties in this state; temporarily exempting such businesses from the wage requirements of the program; exempting such businesses from the requirements for local financial support; amending s. 288.108, F.S.; temporarily exempting a business that relocates from another state to certain counties in this state from the requirement that the business be in a high-impact sector in order to be eligible for a high-impact sector performance grant; requiring that the Board of Trustees of the Internal Improvement Trust Fund appoint members to the Commission on Oil Spill Response Coordination; providing for the designation of the chair of the commission by the Governor; requiring the commission to prepare a report for review and approval by the board of trustees; specifying the subject matter of the report; temporarily exempting the sale of commercial vessels, recreational vessels, and marine equipment sold by registered dealers in certain counties from the sales tax; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation to the Department of Revenue to administer the sales tax exemptions; providing an appropriation to the Office of Tourism, Trade, and Economic Development to develop and implement an economic development program for Northwest Florida; specifying a preference for counties providing expedited permitting for certain purposes; providing for the appropriation to be placed in reserve by the Executive Office of the Governor for release as authorized by law or the Legislative Budget Commission; providing for the deposit of federal funds or entities involved in the Deepwater Horizon oil spill into applicable state trust funds; specifying permissible uses of such funds; designating the Department of Environmental Protection as the lead agency for expending funds for environmental restoration; designating the Office of Tourism, Trade, and Economic Development as the lead agency for funds designated for economic incentives and diversification efforts; authorizing the holder of a lease of sovereignty submerged lands to apply to the Department of Environmental Protection for the payment or the reimbursement of lease fees for the period of the state of emergency for the Deepwater Horizon oil spill; specifying conditions for eligibility; requiring an application to the Department of Environmental Protection; requiring the Chief Financial Officer to use the full extent of the law to recover payments from the responsible party or other independently administered claims process; providing a short title for certain sections of the act; providing an effective date.

—was referred to the Committees on Community Affairs; and Budget.

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By Senators Joyner and Dockery—

**SB 250**—A bill to be entitled An act relating to compensation for wrongful incarceration; amending s. 961.02, F.S.; defining the term "actual innocence" for purposes of the Victims of Wrongful Incarceration Compensation Act; redefining the term "wrongfully incarcerated person," to conform; amending s. 961.03, F.S.; requiring that a petition for compensation describe the existence of clear and convincing evidence of actual innocence; requiring the petitioner to submit fingerprints for criminal history records checks; providing that a failure to submit fingerprints within the prescribed timeframe does not warrant denial of compensation under the act; providing procedures for taking and submitting fingerprints; requiring that the results of the criminal history records checks be submitted to the clerk of the court; providing for use of the results by the court; specifying who will pay for the criminal history records checks; amending s. 961.05, F.S.; eliminating the requirement that a wrongfully incarcerated person provide certain court records and documentation from the Department of Corrections along with an application for compensation; requiring the Department of Legal Affairs to request certain records from the clerk of the court and the Department of Corrections; amending s. 961.06, F.S.; providing for compensation of reasonable attorney's fees and expenses, up to \$50,000, incurred for pursuing compensation for wrongful incarceration; directing the Chief Financial Officer to remit payment of attorney's fees directly to the attorney; precluding the attorney from receipt of additional fees from the wrongfully incarcerated person; requiring the Chief Financial Officer to draw a warrant to an insurance company or other financial institution authorized to issue annuity contracts to purchase an annuity selected by the wrongfully incarcerated person; authorizing the Chief Financial Officer to execute all necessary agreements to implement compensation and to maximize the benefit to the wrongfully incarcerated person; requiring that the wrongfully incarcerated person sign a waiver before the Department of Legal Affairs approves the application; precluding submission of an application for compensation if the wrongfully incarcerated

person has received a prior favorable judgment from a civil action arising out of the wrongful incarceration; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; and Budget.

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**SB 252**—Withdrawn prior to introduction.

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By Senator Sobel—

**SB 254**—A bill to be entitled An act relating to educational plant surveys; amending s. 1013.31, F.S.; authorizing an extension to a school district educational plant survey submission deadline; providing restrictions; providing requirements for the submission of a request for an extension to the Department of Education and requiring department approval; providing restrictions on school district construction during the extension period; requiring the State Board of Education to adopt rules; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Community Affairs; Governmental Oversight and Accountability; and Budget.

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By Senator Bullard—

**SB 256**—A bill to be entitled An act relating to legislative travel reimbursement; amending s. 11.13, F.S.; authorizing legislators and their staff members to be reimbursed by the state under certain circumstances for travel to visit an immediate family member in the case of death or serious illness; defining the term “immediate family member”; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Budget; and Rules.

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By Senator Bullard—

**SB 258**—A bill to be entitled An act relating to student assessment in public schools; terminating the administration of the Florida Comprehensive Assessment Test (FCAT) to students in grades 9 through 12; requiring that the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT) replace the grade 10 FCAT for purposes of measuring a student’s knowledge and skills; requiring that students take the PSAT/NMSQT in grade 10; requiring that students earn passing scores on the PSAT/NMSQT to qualify for a standard high school diploma; requiring that the State Board of Education designate passing scores; requiring the use of student performance on the PSAT/NMSQT for school grading purposes; providing for application beginning with students entering grade 9 in the 2012-2013 school year; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Higher Education; and Budget.

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By Senator Ring—

**SB 260**—A bill to be entitled An act relating to nonpublic post-secondary educational institutions; amending s. 1005.02, F.S.; defining the term “academic degree”; amending s. 1005.31, F.S.; requiring that a licensed independent postsecondary educational institution notify the Commission for Independent Education of changes in its accreditation status; providing penalties for failure to provide the notice; revising criteria concerning the standards by which the commission evaluates institutions for licensure; requiring that institutions become accredited within a specified period after licensure; requiring a licensed institution that is not accredited to include certain information on the institution’s website; restricting the recognition of academic degrees conferred by that institution; requiring that the institution notify the Department of Education and the Office of the Attorney General of its progress in obtaining accreditation; requiring that institutions maintain records and provide the commission with information concerning nationally recognized standards used to grant credit for a student’s prior work or life experience; requiring compliance with laws concerning the reporting of crime statistics; requiring that such reports be made available to the

public; requiring that the commission maintain a list on its website concerning the accreditation of institutions licensed by the commission; requiring that the Department of Education and Office of the Attorney General maintain a link to the commission’s list on their respective websites; amending s. 1005.38, F.S.; requiring that the commission revoke the license or authorization of an institution that does not meet requirements concerning accreditation; amending s. 744.1083, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Higher Education; and Budget.

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By Senators Ring and Dockery—

**SB 262**—A bill to be entitled An act relating to intimidation of a judge; subjecting a person who intimidates or threatens a judge or a member of the judge’s immediate family to criminal penalties under certain circumstances; defining the terms “intimidation or threats” and “judge”; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; and Budget.

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**SB 264**—Not referenced.

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By Senator Ring—

**SB 266**—A bill to be entitled An act relating to employment of the homeless; amending s. 220.02, F.S.; specifying the order for applying the tax credit for employment of the homeless; amending s. 220.13, F.S.; redefining the term “adjusted federal income” to include an adjustment for such tax credit; creating s. 220.194, F.S.; providing definitions; providing a tax credit for a corporation that hires a homeless person residing in a transitional, permanent supportive, or permanent housing facility; specifying the information that must be provided to the Department of Revenue when applying for the credit; providing for the carryover of unused credits; requiring that the application be filed with the department by a specified date each year; providing penalties for fraudulently claiming the tax credit; limiting the total amount of tax credits that may be granted per taxable year; authorizing the department to adopt rules; providing for the expiration of the tax credit; requiring that the department collect certain data; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Children, Families, and Elder Affairs; and Budget.

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By Senator Bullard—

**SB 268**—A bill to be entitled An act relating to super enterprise zones; amending s. 212.02, F.S.; defining the term “certified business” for purposes of a tax exemption provided to certain businesses located within a super enterprise zone; providing for future expiration; amending s. 212.08, F.S.; providing a tax exemption for certain property purchased for use or consumption by businesses in a super enterprise zone and for retail sales made by certified businesses in a super enterprise zone; providing an exception; specifying periods for applying the exemptions for certain businesses; providing for future expiration of the exemption; amending s. 290.0056, F.S.; providing additional responsibilities of an enterprise zone development agency relating to super enterprise zones; requiring an economic impact report; providing for future expiration; amending s. 290.0057, F.S.; applying requirements for an enterprise zone development plan to super enterprise zones; creating s. 290.00681, F.S.; requiring the Office of Tourism, Trade, and Economic Development to designate specified areas in Miami-Dade, Lee, and Collier Counties as pilot project super enterprise zones for a certain period; providing qualification criteria; providing application requirements; providing for future expiration and revocation of the designations; creating s. 290.00682, F.S.; providing requirements for qualification as a certified business for purposes of the sales tax exemption; authorizing a local enterprise zone development agency to certify businesses; requiring the agency to provide lists of certified businesses; providing for disqualifying certified businesses under certain circumstances; providing for future expiration and revocation of certifications; amending s. 290.007, F.S.; specifying incentives for the revitalization of

super enterprise zones; requiring interim and final reviews of super enterprise zones by the Office of Program Policy Analysis and Government Accountability; providing review criteria; requiring reports to the Legislature; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Community Affairs; and Budget.

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By Senator Bennett—

**SB 270**—A bill to be entitled An act relating to property tax discounts for early payment; amending s. 197.162, F.S.; increasing the discount rates for early payment of property taxes; amending s. 200.065, F.S.; lowering the percentage of certified taxable value to be used by taxing authorities in preparing tentative budgets; amending s. 197.222, F.S.; increasing the discount rates for prepayment of property tax by the installment method; providing an effective date.

—was referred to the Committees on Community Affairs; Education Pre-K - 12; and Budget.

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By Senator Joyner—

**SB 272**—A bill to be entitled An act relating to cadmium in children's products; defining terms; prohibiting a person from using or applying cadmium in excess of a specified amount on any item of children's jewelry, toy, or child care article sold in this state; providing an exception; providing for a criminal penalty; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Health Regulation; Judiciary; and Budget.

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By Senator Lynn—

**SB 274**—A bill to be entitled An act relating to road designations; designating Veterans Memorial Highway in Putnam County; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

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By Senators Bennett and Lynn—

**SB 276**—A bill to be entitled An act relating to the procurement of architectural, engineering, and other professional services by a governmental agency or school board; amending s. 287.055, F.S.; allowing compensation to be a considering factor during the competitive selection process for professional services; authorizing the agency or board to reopen negotiations with a selected firm following termination of negotiations with other firms; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Education Pre-K - 12; and Budget.

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By Senator Joyner—

**SB 278**—A bill to be entitled An act relating to employment of children by the entertainment industry; amending s. 450.132, F.S.; defining terms; providing requirements for the employment of children in the entertainment industry; providing responsibilities of employers and parents or legal guardians of such children; requiring a preauthorization certificate for each child; providing duties of the Division of Regulation within the Department of Business and Professional Regulation; providing limitations on the working hours of child performers; providing certification requirements and duties of teachers and trainers of child performers; requiring a trust account for certain children employed in the entertainment industry; providing safety requirements for child performers; providing criteria for wage claims; providing requirements for the Agency for Workforce Innovation in resolving such claims; providing grounds under which the Division of Regulation may refuse to issue or renew a preauthorization certificate and procedures for challenging such a determination; reenacting ss. 450.021(1)(b) and 562.13(2)(b), F.S., relating to the employment of minors in this state, to

incorporate the amendments made to s. 450.132, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Regulated Industries; Commerce and Tourism; Education Pre-K - 12; and Budget.

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By Senator Norman—

**SB 280**—A bill to be entitled An act for the relief of Thomas and Karen Brandi by the city of Haines City; providing for an appropriation to compensate them for injuries sustained as a result of the negligence of the city of Haines City; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

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By Senators Bennett and Margolis—

**SB 282**—A bill to be entitled An act relating to renewable energy; providing legislative findings; providing definitions; requiring each electric utility in the state to collect from each residential, commercial, and industrial customer a designated monthly systems charge; requiring the electric utilities to deposit collected funds into the Sustainable and Renewable Energy Policy Trust Fund; creating a direct-support organization for the Florida Energy and Climate Commission; providing for a board of directors of the direct-support organization; providing for appointment of members and terms of office; requiring a contract between the commission and the direct-support organization; providing for the use of the deposited funds; requiring an annual audit; amending s. 366.91, F.S.; requiring that a purchase contract offered to producers of renewable energy contain payment provisions for energy and capacity based upon a public utility's equivalent cost-recovery rate for certain clean energy projects rather than the utility's full avoided costs; amending s. 377.806, F.S.; revising the expiration date for the Solar Energy System Incentives Program; extending the period of time for which residents of the state are eligible to receive rebates for specified solar energy systems; revising the rebate amount for eligible solar energy systems; providing a schedule for rebate amounts based on the total wattage of the system; amending s. 570.954, F.S.; correcting a reference; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Environmental Preservation and Conservation; Governmental Oversight and Accountability; and Budget.

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By Senators Bennett and Margolis—

**SB 284**—A bill to be entitled An act relating to trust funds; creating the Sustainable and Renewable Energy Policy Trust Fund within the Florida Energy and Climate Commission; providing for sources of funds and purposes; providing for annual carryforward of funds; providing for the future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Environmental Preservation and Conservation; Governmental Oversight and Accountability; and Budget.

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By Senators Rich, Ring, Joyner, Sobel, Margolis, Bullard, Detert, Sachs, and Bennett—

**SCR 286**—A concurrent resolution ratifying the proposed amendment to the Constitution of the United States relating to equal rights for men and women.

—was referred to the Committees on Judiciary; Rules Subcommittee on Ethics and Elections; and Rules.

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By Senator Negron—

**SB 288**—A bill to be entitled An act relating to design professionals; creating s. 558.0035, F.S.; providing for limited liability for engineers, surveyors and mappers, architects, interior designers, and registered landscape architects as a result of construction defects resulting from the performance of a contract; providing that, if a contract requires professional liability insurance, the contract may not limit the liability of the design professional in a manner that is inconsistent with the insurance requirements; providing exceptions to the limitation of liability of the design professional; amending ss. 471.023, 472.021, 481.219, and 481.319, F.S.; conforming sections to the limitation of liability for certain design professionals provided in s. 558.0035, F.S.; providing cross-references to s. 558.0035, F.S.; providing that the act does not affect contracts or agreements entered into, or professional services performed, before July 1, 2011; providing an effective date.

—was referred to the Committees on Regulated Industries; Judiciary; and Budget.

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By Senators Fasano, Gaetz, and Dockery—

**SB 290**—A bill to be entitled An act relating to retirement for elected officials; amending ss. 121.052 and 121.72, F.S.; reducing the employer retirement contribution for members of the elected officers class; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Budget.

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By Senator Dean—

**SB 292**—A bill to be entitled An act relating to mobile home and recreational vehicle parks; amending s. 513.01, F.S.; providing and revising definitions; amending s. 513.012, F.S.; specifying laws and rules to be enforced by the Department of Health; providing for the adoption of rules; amending s. 513.014, F.S.; revising applicability of recreational vehicle park requirements to mobile home parks; amending s. 513.02, F.S.; revising permit requirements; providing requirements for construction review and approval for private parks and camps; requiring the department to adopt rules; amending s. 513.03, F.S.; revising requirements for permit applications; amending s. 513.045, F.S.; revising fees charged to operators of certain parks or camps; authorizing persons to request from the department a review of plans for a proposed park or camp; requiring certain construction and renovation plans to be submitted to the department for review and approval; amending s. 513.05, F.S.; providing the department with additional rulemaking authority; amending s. 513.054, F.S.; providing that an operator of a mobile home park, lodging park, recreational vehicle park, or recreational camp who refuses to pay the operating permit fee required by law or who fails, neglects, or refuses to obtain an operating permit for the park commits a misdemeanor of the second degree; amending s. 513.055, F.S.; conforming terminology; amending s. 513.10, F.S.; providing that a person who operates a mobile home park, lodging park, recreational vehicle park, or recreational camp without a permit commits a misdemeanor of the second degree; repealing s. 513.111, F.S., relating to the posting and advertising of certain site rates; creating s. 513.115, F.S.; providing requirements for the establishment of separation and setback distances; amending s. 513.112, F.S.; deleting a provision requiring guest registers to be made available for inspection by the department at any time; amending s. 513.115, F.S.; revising requirements for the handling of unclaimed property; amending s. 513.13, F.S.; providing a penalty for failure to depart from a park under certain circumstances; barring an operator from certain liability; providing an effective date.

—was referred to the Committees on Transportation; Health Regulation; Community Affairs; and Budget.

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**SR 294**—Not referenced.

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By Senator Wise—

**SB 296**—A bill to be entitled An act relating to household moving services; amending s. 507.01, F.S.; redefining the term “storage”;

amending s. 507.03, F.S.; providing for the biennial renewal of mover and moving broker registrations; authorizing the Department of Agriculture and Consumer Services to extend registration expiration dates in order to establish staggered dates; requiring the calculation of biennial registration fees based on an annual rate; deleting a provision requiring certain movers and moving brokers to obtain a local license or registration and pay the state registration fee; amending s. 507.04, F.S.; authorizing a mover to exclude liability for household goods packed by the shipper under certain circumstances; amending s. 507.06, F.S.; authorizing a mover to refuse to transport or ship household goods under certain circumstances; amending s. 507.07, F.S.; prohibiting a mover or moving broker from conducting business without being registered with the department; providing penalties; amending s. 507.13, F.S.; preempting local ordinances and regulations except in certain counties; restricting the levy or collection of local registration fees and taxes of movers and moving brokers; providing for local registration and bonding; exempting local business taxes from preemption; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Community Affairs; and Budget.

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By Senator Alexander—

**SB 298**—A bill to be entitled An act relating to municipal governing body meetings; creating s. 166.0213, F.S.; authorizing the governing bodies of certain municipalities to hold meetings within specified boundaries; providing an effective date.

—was referred to the Committees on Community Affairs; and Budget.

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By Senator Bennett—

**SJR 300**—A joint resolution proposing amendments to Section 15 of Article III and Section 4 of Article VI and the creation of a new section in Article XII of the State Constitution to revise the term limits that apply to State Senators and State Representatives and to impose term limits on elected county and municipal officers.

—was referred to the Committees on Judiciary; Reapportionment; and Rules.

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By Senators Bennett and Dockery—

**SB 302**—A bill to be entitled An act relating to the drug testing of potential and existing beneficiaries for unemployment compensation; creating s. 443.093, F.S.; creating the Drug Deterrence Pilot Program within the Agency for Workforce Innovation; providing legislative intent; providing the scope of eligibility for benefits; designating the specific workforce board that is subject to the pilot program; defining terms; providing for the screening of individuals to determine which individuals must be tested; providing for notice; providing terms of disqualification of benefits; requiring the agency to supply information on drug treatment programs; providing for authentication and the admissibility of drug tests in unemployment compensation hearings; creating a rebuttable presumption; providing testing procedures; providing for the preservation of test samples; providing for the retesting of test samples; providing for an appeals process; authorizing the agency to adopt rules; directing the agency to submit a report to the Governor and Legislature; directing the Office of Program Policy Analysis and Government Accountability to submit a report to the Governor and Legislature; providing for future expiration of the program; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Governmental Oversight and Accountability; and Budget.

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By Senators Bennett and Dockery—

**SB 304**—A bill to be entitled An act relating to illegal or undocumented aliens; requiring the Department of Corrections and the Parole Commission to establish agreements to implement a federal deportation program for state inmates; specifying the goals of the program; amending s. 947.146, F.S., relating to the Control Release Authority; requiring the authority to implement a program to execute an im-

mediate deportation order; authorizing the authority to extend or advance the control release date for arrangements for the transfer of custody pending deportation; creating s. 947.1461, F.S., relating to control release for removal and deportation; requiring the department to identify eligible inmates at the reception process; specifying eligibility criteria; requiring the department to coordinate with federal authorities to determine immigration status and eligibility for removal; requiring the department to identify eligible inmates who waive administrative and appellate rights and who agree to cooperate; requiring the Control Release Authority to establish control release dates; authorizing the control release dates to be set after the alien has served a minimum 50 percent of his or her court-imposed sentence; requiring the department to maintain exclusive control and responsibility for the custody and transportation of an alien until the alien is transferred to federal custody; requiring the Control Release Authority to give notice to aliens concerning reentering the United States; prohibiting aliens from benefiting from control release awards when removal is not reasonably foreseeable; requiring the department to compile and report certain statistics; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; and Budget.

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By Senator Rich—

**SB 306**—A bill to be entitled An act for the relief of Denise Gordon Brown and David Brown by the North Broward Hospital District; providing for an appropriation to compensate Denise Gordon Brown and David Brown, parents of Darian Brown, for injuries and damages sustained by Darian Brown as result of the negligence of Broward General Medical Center; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

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By Senator Montford—

**SB 308**—A bill to be entitled An act for the relief of Eddie Weekley and Charlotte Williams, individually and as co-personal representatives of the Estate of Franklin Weekley, their deceased son, for the disappearance and death of their son while he was in the care of the Marianna Sunland Center, currently operated by the Agency for Persons with Disabilities; providing an appropriation to compensate them for injuries and damages sustained as result of the negligence of the Department of Children and Family Services; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claim Bills.

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By Senators Negron, Gaetz, and Evers—

**SB 310**—A bill to be entitled An act relating to public meetings; amending s. 286.011, F.S.; providing a right for members of the public to be heard at meetings of certain governmental boards and commissions; prescribing conditions qualifying, and exceptions to, the right; providing for the adoption of rules governing the conduct of, and behavior at, the meetings; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Community Affairs; and Rules.

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By Senator Richter—

**SB 312**—A bill to be entitled An act relating to the practice of dentistry; requiring persons who apply for licensure renewal as a dentist or dental hygienist to furnish certain information to the Department of Health in a dental workforce survey; requiring the Board of Dentistry to issue a nondisciplinary citation and a notice for failure to complete the survey within a specified time; providing notification requirements for the citation; requiring the department to serve as the coordinating body for the purpose of collecting, disseminating, and updating dental workforce data; requiring the department to maintain a database regarding

the state's dental workforce; requiring the department to develop strategies to maximize federal and state programs and to work with an advisory body to address matters relating to the state's dental workforce; providing membership of the advisory body; providing for members of the advisory body to serve without compensation; requiring the department to act as a clearinghouse for collecting and disseminating information regarding the dental workforce; requiring the department and the board to adopt rules; providing legislative intent regarding implementation of the act within existing resources; amending s. 499.01, F.S.; authorizing certain business entities to pay for prescription drugs obtained by practitioners licensed under ch. 466, F.S.; amending s. 624.91, F.S.; revising the membership of the board of directors of the Florida Healthy Kids Corporation to include a member nominated by the Florida Dental Association and appointed by the Governor; providing an effective date.

—was referred to the Committees on Health Regulation; Governmental Oversight and Accountability; and Budget.

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By Senator Richter—

**SB 314**—A bill to be entitled An act relating to public records; providing an exemption from public-records requirements for information contained in dental workforce surveys submitted by dentists or dental hygienists to the Department of Health as a condition for license renewal; providing exceptions to the exemption; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Health Regulation; Governmental Oversight and Accountability; Budget; and Rules.

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By Senator Hays—

**SB 316**—A bill to be entitled An act relating to the offense of fleeing or attempting to elude a law enforcement officer if committed by a juvenile; amending s. 316.1935, F.S.; requiring the court to revoke, for a period not less than 1 year nor exceeding 5 years, the driver's license of an operator of a motor vehicle adjudicated delinquent for fleeing or attempting to elude a law enforcement officer under specified circumstances; prohibiting the court from suspending, deferring, or withholding an adjudication of delinquency for a juvenile who fled or attempted to elude a law enforcement officer; providing an effective date.

—was referred to the Committees on Criminal Justice; Children, Families, and Elder Affairs; Transportation; and Budget.

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By Senator Siplin—

**SB 318**—A bill to be entitled An act relating to postsecondary student fees; creating s. 1009.215, F.S.; providing an exemption from payment of nonresident tuition at a state university or a Florida College System institution for an undocumented student who meets specified requirements; requiring the Board of Governors of the State University System to adopt regulations and the State Board of Education to adopt rules; providing an effective date.

—was referred to the Committees on Judiciary; Higher Education; Criminal Justice; and Budget.

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**SR 320**—Not referenced.

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By Senator Flores—

**SB 322**—A bill to be entitled An act for the relief of Aaron Edwards, a minor, and his parents, Mitzi Roden and Mark Edwards, by Lee Memorial Health System of Lee County; providing for an appropriation to compensate Aaron Edwards and his parents for damages sustained as a result of the medical negligence by employees of Lee Memorial Health System of Lee County; providing a limitation on the payment of fees and costs; providing an effective date.



Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

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By Senator Flores—

**SB 324**—A bill to be entitled An act for the relief of James D. Feurtado, III, by Miami-Dade County; providing for an appropriation to compensate him for injuries he sustained as a result of the negligence of an employee of Miami-Dade County; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

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By Senator Norman—

**SB 326**—A bill to be entitled An act for the relief of Stephen and Meredith Kirby, parents and natural guardians of their daughter, Harper Kirby, by the University of South Florida; providing for an appropriation to compensate Stephen and Meredith Kirby, parents and natural guardians of Harper Kirby, for damages sustained by the negligence of an employee of the University of South Florida; providing a limitation on the payment of attorney’s fees and costs; providing an effective date.

—was referred to the Special Master on Claim Bills.

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By Senator Margolis—

**SB 328**—A bill to be entitled An act relating to service of process; amending s. 48.031, F.S.; specifying where a process server must record certain information concerning service; granting authorized process servers unannounced access to specified residential areas where a defendant or witness resides or is known to be; amending s. 48.29, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Judiciary; Regulated Industries; Criminal Justice; and Budget.

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By Senator Gaetz—

**SB 330**—A bill to be entitled An act relating to violations of the Florida Election Code; creating s. 104.2715, F.S.; providing that a candidate who, in a primary or other election, falsely represents that he or she served or is currently serving in the military, commits a violation of the Florida Election Code; permitting any person to file a complaint with the Florida Elections Commission alleging that a candidate has falsely represented his or her military service; requiring that the commission adopt rules to provide for an expedited hearing for complaints filed with the commission; requiring that the Director of the Division of Administrative Hearings assign an administrative law judge to provide an expedited hearing in certain cases; requiring the commission or administrative law judge to assess a civil penalty of up to a specified amount against a candidate who is found to have falsely misrepresented his or her military service; providing an effective date.

—was referred to the Committees on Rules Subcommittee on Ethics and Elections; Rules; Military Affairs, Space, and Domestic Security; Governmental Oversight and Accountability; and Budget.

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By Senators Fasano and Gaetz—

**SB 332**—A bill to be entitled An act relating to submerged lands; creating s. 253.0346, F.S.; authorizing the Board of Trustees of the Internal Improvement Trust Fund to lease sovereign submerged lands for private residential use; defining “private residential use”; providing for the term of the lease, rental fees, lease assignability, disposition of improvements, and construction of the act; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; Judiciary; and Budget.

By Senators Fasano and Dockery—

**SB 334**—A bill to be entitled An act relating to controlled substances; defining terms; requiring a person who knows, or has reasonable cause to suspect, that a health care practitioner who prescribes or dispenses controlled substances is stealing or abusing controlled substances that have been prescribed or dispensed for another to report such knowledge or suspicion to a law enforcement agency; providing an effective date.

—was referred to the Committees on Criminal Justice; Health Regulation; and Budget.

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By Senator Fasano—

**SB 336**—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; revising the list of controlled substances included in Schedules I, II, III, IV, and V; providing an effective date.

—was referred to the Committees on Criminal Justice; Health Regulation; Judiciary; and Budget.

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By Senator Flores—

**SB 338**—A bill to be entitled An act for the relief of Angela Sozzani; requiring that the Department of Children and Family Services request up to a certain amount in its annual legislative budget request each fiscal year to compensate Angela Sozzani for injuries and damages she sustained as a result of the negligence of employees of the Department of Children and Family Services; authorizing the department to request additional funds under extraordinary circumstances; providing for the reversion of funds; providing that Angela Sozzani’s attorneys have represented her pro bono and fees and costs have not been awarded; providing an effective date.

—was referred to the Special Master on Claim Bills.

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By Senator Bogdanoff—

**SB 340**—A bill to be entitled An act for the relief of Altavious Carter by the Palm Beach County School Board; providing for an appropriation to compensate Altavious 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; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

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By Senator Evers—

**SB 342**—A bill to be entitled An act for the relief of Maricelly Lopez by the City of North Miami; providing for an appropriation to compensate Maricelly Lopez, individually and as personal representative of the Estate of Omar Mieleles, for the wrongful death of her son, Omar Mieleles, which was due to the negligence of a police officer of the City of North Miami; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

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By Senator Rich—

**SB 344**—A bill to be entitled An act relating to sexual activities involving animals; creating s. 828.126, F.S.; providing definitions; prohibiting knowing sexual conduct or sexual contact with an animal; prohibiting specified related activities; providing penalties; providing that the act does not apply to certain husbandry, conformation judging, and veterinary practices; providing an effective date.

—was referred to the Committees on Criminal Justice; Agriculture; and Judiciary.

By Senator Rich—

**SB 346**—A bill to be entitled An act relating to prohibited discrimination; providing a short title; amending s. 760.01, F.S.; revising provisions to include sexual orientation and gender identity or expression as impermissible grounds for discrimination; conforming terminology; amending s. 760.02, F.S.; defining additional terms; creating s. 760.025, F.S.; specifying when an individual has an impairment for certain purposes; amending ss. 760.05, 760.07, 760.08, and 760.10, F.S.; revising provisions to include sexual orientation and gender identity or expression as impermissible grounds for discrimination; conforming terminology; reenacting s. 760.11(1), F.S., relating to administrative and civil remedies for unlawful employment practices, to incorporate the amendments made to s. 760.10, F.S., in a reference thereto; amending s. 509.092, F.S.; revising provisions to include sexual orientation and gender identity or expression as impermissible grounds for discrimination in public lodging establishments and public food service establishments; amending s. 760.22, F.S.; defining additional terms; deleting the definition of the term “handicap”; creating s. 760.225, F.S.; specifying when an individual has an impairment for certain purposes; amending ss. 760.23, 760.24, 760.25, 760.26, and 760.29, F.S.; revising provisions to include sexual orientation and gender identity or expression as impermissible grounds for discrimination; conforming terminology; amending ss. 760.31 and 760.50, F.S.; conforming terminology; amending s. 760.60, F.S.; revising provisions to include sexual orientation and gender identity or expression as impermissible grounds for discrimination; conforming terminology; amending s. 419.001, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Judiciary; Regulated Industries; Governmental Oversight and Accountability; and Budget.

By Senator Sobel—

**SB 348**—A bill to be entitled An act relating to domestic partnerships; amending ss. 28.101 and 28.24, F.S.; setting forth fees and costs to be applied when petitioning for a dissolution of a domestic partnership or registering a domestic partnership, respectively; amending s. 97.1031, F.S.; providing notice to the supervisor of elections concerning a change of name due to participation in a domestic partnership; amending s. 382.002, F.S.; defining the term “dissolution of a domestic partnership” for purposes of vital records; including domestic partnerships and dissolution of domestic partnership as vital records in this state; conforming cross-references; amending s. 382.003, F.S.; requiring the Department of Health to examine all certificates of domestic partnership forms and dissolution of domestic partnership reports sent from the courts; amending s. 382.0085, F.S.; conforming a cross-reference; amending s. 382.021, F.S.; requiring the clerk of the circuit court to transmit all original declarations of domestic partnership to the Department of Health by a specified date each month; amending s. 382.022, F.S.; requiring the clerk of the circuit court to collect a fee after registering a domestic partnership; amending s. 382.023, F.S.; requiring the clerk of the circuit court to collect a fee upon filing a final judgment for a dissolution of domestic partnership; amending s. 382.025, F.S.; authorizing the Department of Health to issue a certified copy of certain vital records to a domestic partner; amending s. 382.0255, F.S.; providing that the Department of Health is entitled to a specified fee for the issuance of a commemorative certificate of domestic partnership; amending s. 446.50, F.S.; requiring that certain fees relating to declarations of domestic partnership and dissolution of domestic partnership filings be deposited in the Displaced Homemaker Trust Fund; amending s. 741.28, F.S.; redefining the term “family or household member” in the context of domestic violence to include a domestic partnership; creating s. 741.501, F.S.; providing legislative findings; creating s. 741.502, F.S.; defining terms; creating s. 741.503, F.S.; requiring the Department of Health to create and distribute the Declaration of Domestic Partnership and Certificate of Registered Domestic Partnership forms to each clerk of the circuit court; requiring the department and each clerk of the circuit court to make the Declaration of Domestic Partnership form available to the public; creating s. 741.504, F.S.; providing that the circuit court has jurisdiction over domestic partnership proceedings; requiring the clerk of the circuit court to maintain a domestic partnership registry; providing that the registry is a public record; creating s. 741.505, F.S.; re-

quiring two individuals who wish to become partners in a domestic partnership to complete and file a Declaration of Domestic Partnership form with the clerk of the circuit court; specifying the required contents of the completed form; providing that each partner who signs the form consents to the jurisdiction of the circuit court for certain purposes; providing that if a person files an intentionally and materially false form, he or she commits a misdemeanor of the first degree; providing criminal penalties; requiring the clerk of the circuit court to register the Declaration of Domestic Partnership in a domestic partnership registry and issue a Certificate of Registered Domestic Partnership; creating s. 741.506, F.S.; authorizing the domestic partners to retain surnames; creating s. 741.507, F.S.; providing that any privilege or responsibility granted or imposed by statute, administrative or court rule, policy, common law, or any other law to an individual because the individual is or was related to another by marriage, or is a child of either of the spouses, is granted on equivalent terms to domestic partners or individuals similarly related to domestic partners; providing that the act does not require or permit the extension of any benefit under a retirement, deferred compensation, or other employee benefit plan, if the plan administrator reasonably concludes that the extension of benefits to partners would conflict with a condition for tax qualification of the plan, or a condition for other favorable tax treatment of the plan, under the Internal Revenue Code; creating s. 741.508, F.S.; specifying prohibited or void domestic partnerships; creating s. 741.509, F.S.; requiring that the clerk of the circuit court collect certain fees for receiving a Declaration of Domestic Partnership; authorizing the clerk of the circuit court to accept installment payments from individuals who are unable to pay the fees in a lump sum; creating s. 741.510, F.S.; providing methods to prove the existence of a registered Declaration Domestic Partnership when the certificate document has been lost or is otherwise unavailable; creating s. 741.511, F.S.; providing for termination of a domestic partnership; providing for notice; providing for the effective date of the termination; providing for registration of the termination; requiring records of certain terminations to be maintained; providing for automatic termination of partnership if either party enters into a valid marriage; providing for a reasonable fee for termination; reenacting ss. 921.0024(1)(b) and 943.171(2)(b), F.S., relating to the worksheet form for the Criminal Punishment Code and the basic skills training for domestic violence cases, respectively, to incorporate the amendments made to s. 741.28, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; Health Regulation; and Budget.

By Senator Sobel—

**SB 350**—A bill to be entitled An act relating to insurance coverage for colorectal cancer screening; providing legislative intent; creating s. 627.64173, F.S.; requiring certain health insurance policies, health maintenance organization contracts, health insurance programs, group arrangements, and managed health care delivery entities providing coverage to state residents to provide coverage for certain colorectal cancer examinations and laboratory tests for colorectal cancer; providing requirements; specifying covered individuals; requiring coverage of certain evidence-based screening strategies; providing a definition; prohibiting patients and providers from being required to meet certain requirements to secure coverage; prohibiting certain deductible or coinsurance requirements; specifying absence of any requirement to make nonparticipating provider referrals under certain circumstances; providing for payment of nonparticipating providers; excluding application to certain insurance policies; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Regulation; Governmental Oversight and Accountability; and Budget.

By Senator Joyner—

**SB 352**—A bill to be entitled An act relating to civil citations; amending s. 985.12, F.S.; requiring the expungement of the nonjudicial arrest record of a minor who successfully completes a civil citation program; amending s. 943.0582, F.S.; requiring the Department of Law Enforcement to expunge the nonjudicial record of the arrest of a minor who successfully completes a civil citation program; setting forth the conditions that apply in order for the department to expunge the record; authorizing the department to charge a processing fee; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

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By Senator Bullard—

**SB 354**—A bill to be entitled An act relating to the receipt of gifts by candidates, officers, and state employees; amending s. 112.3148, F.S.; deleting a limitation on the amount of time that a gift accepted on behalf of a governmental entity or charitable organization may be retained; providing an effective date.

—was referred to the Committees on Rules Subcommittee on Ethics and Elections; Rules; and Judiciary.

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By Senator Bullard—

**SB 356**—A bill to be entitled An act relating to the practice of optometry; amending s. 463.002, F.S.; redefining the term “certified optometrist” within the practice of optometry; amending s. 463.005, F.S.; authorizing the Board of Optometry to adopt rules relating to the administration and prescription of oral medications used for the diagnosis and treatment of ocular conditions of the human eye and its appendages; amending s. 463.0055, F.S.; authorizing certified optometrists to administer and prescribe such oral medications; requiring that a prescription for an oral medication contain the optometrist’s prescriber number; amending s. 463.006, F.S.; authorizing the board to certify certain applicants to administer and prescribe oral medications; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; and Budget.

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By Senator Evers—

**SM 358**—A memorial to the Congress of the United States, urging Congress to honor the provisions of the Constitution of the United States and United States Supreme Court case law which limit the scope and exercise of federal power.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

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By Senator Fasano—

**SB 360**—A bill to be entitled An act relating to insurance coverage for cardiovascular screening; creating ss. 627.64196, 627.6614, and 641.31099, F.S.; requiring individual and group health insurance policies and health maintenance contracts to provide coverage for certain cardiovascular screening tests performed on specified individuals; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Regulation; and Budget.

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By Senator Latvala—

**SB 362**—A bill to be entitled An act relating to patrol officers of the Department of Highway Safety and Motor Vehicles; repealing s. 321.04(3), F.S., relating to the assignment of an officer to the office of the Governor; providing an effective date.

—was referred to the Committees on Transportation; Governmental Oversight and Accountability; and Budget.

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By Senator Latvala—

**SB 364**—A bill to be entitled An act relating to child care facilities; amending s. 402.302, F.S.; revising and providing definitions; providing for certain household children to be included in calculations regarding the capacity of licensed family day care homes and large family child care homes; providing conditions for supervision of household children of operators of family day care homes and large family child care homes;

amending s. 402.318, F.S.; revising advertising requirements applicable to child care facilities; providing penalties; authorizing a cause of action against an unlicensed or unregistered individual if certain advertising requirements are not met; authorizing the award of attorney’s fees and costs under certain conditions; amending s. 411.01, F.S., relating to school readiness programs; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Commerce and Tourism; Judiciary; and Budget.

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By Senator Altman—

**SB 366**—A bill to be entitled An act relating to handbill distribution; providing a short title; amending s. 509.144, F.S.; revising definitions; providing additional penalties for the offense of unlawfully distributing handbills in a public lodging establishment; specifying that certain items used in committing such offense are subject to seizure and forfeiture under the Florida Contraband Forfeiture Act; amending s. 901.15, F.S.; authorizing a law enforcement officer to arrest a person without a warrant when there is probable cause to believe the person violated s. 509.144, F.S., and where the owner or manager of the public lodging establishment signs an affidavit containing information supporting the determination of probable cause; amending s. 932.701, F.S.; revising the definition of the term “contraband”; providing that the terms and provisions of the act do not affect or impede the provisions of a specified state statute or any protection or right guaranteed by the Second Amendment to the United States Constitution; providing an effective date.

—was referred to the Committees on Criminal Justice; Commerce and Tourism; and Budget.

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By Senators Fasano and Gaetz—

**SB 368**—A bill to be entitled An act relating to driver’s license fees for disabled veterans; amending s. 322.21, F.S.; providing that disabled veterans who meet certain qualifications are entitled to a specified reduction in driver’s license fees; reorganizing provisions; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Transportation; and Budget.

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By Senator Rich—

**SB 370**—A bill to be entitled An act relating to vessel safety; amending s. 327.39, F.S.; revising certain requirements for operating personal watercraft; providing penalties; amending s. 327.54, F.S.; revising the requirements relating to the boating safety course required for leasing or renting a personal watercraft from a livery; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Commerce and Tourism; and Budget.

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By Senator Bogdanoff—

**SB 372**—A bill to be entitled An act relating to pretrial programs; providing state policy and legislative intent; requiring each pretrial release program established by ordinance of a county commission, by administrative order of a court, or by any other means in order to assist in the release of a defendant from pretrial custody to conform to the eligibility criteria set forth by the act; preempting any conflicting local ordinances, orders, or practices; requiring that the defendant satisfy certain eligibility criteria in order to be assigned to a pretrial release program; providing that the act does not prohibit a court from releasing a defendant on the defendant’s own recognizance or imposing any other reasonable condition of release on the defendant; authorizing a county to reimburse a licensed surety agent for the premium costs of a bail bond for the pretrial release of an indigent defendant under certain circumstances; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

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By Senator Bogdanoff—

**SB 374**—A bill to be entitled An act relating to health and human services contracts; establishing the Health and Human Services Contract Resource Center to be administratively housed in the Department of Management Services; providing the center's duties; establishing a board of trustees composed of certain agency heads; providing for an executive director appointed by the Governor; providing for implementation by a certain date; amending s. 287.057, F.S.; exempting services provided by an eligible lead community-based provider from being subject to the state competitive bidding process; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Children, Families, and Elder Affairs; and Budget.

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By Senators Gaetz and Negrón—

**SB 376**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 125.0104, F.S.; providing definitions related to the tourist development tax; requiring the owner of or the person operating transient accommodations to separately state the amount of the tourist development tax collected and the consideration charged on a receipt, invoice, or other documentation; exempting certain unrelated persons from the requirement to separately state the amount of the tourist development tax; providing that the proceeds of the tourist development tax are county funds; amending s. 125.0108, F.S.; providing definitions related to the tourist impact tax; requiring the owner of or the person operating transient accommodations to separately state the amount of the tourist impact tax collected and the consideration charged on a receipt, invoice, or other documentation; exempting certain unrelated persons from the requirement to separately state the amount of the tourist impact tax; providing that the proceeds of the tourist impact tax are county funds; amending s. 212.03, F.S.; providing definitions related to the transient rentals tax; requiring the owner of or the person operating transient accommodations to separately state the amount of the transient rentals tax collected and the consideration charged on a receipt, invoice, or other documentation; exempting certain unrelated persons from the requirement to separately state the amount of the transient rentals tax; providing that the proceeds of the transient rentals tax are state funds; amending s. 212.0305, F.S.; providing definitions related to the convention development tax; requiring the owner of or the person operating transient accommodations to separately state the amount of the convention development tax collected and the consideration charged on a receipt, invoice, or other documentation; exempting certain unrelated persons from the requirement to separately state the amount of the convention development tax; providing that the proceeds of the convention development tax are county funds; amending s. 213.30, F.S.; authorizing the Department of Revenue to compensate county governments for providing certain information to the department; specifying a payment amount; amending ss. 1 and 3, ch. 67-930, Laws of Florida, as amended; providing definitions relating to the municipal resort tax; requiring the owner of or the person operating transient accommodations to separately state the amount of the municipal resort tax on a receipt, invoice, or other documentation; exempting certain unrelated persons from the requirement to separately state the amount of the municipal resort tax; providing that the proceeds of the municipal resort tax are city or town funds; providing that the act is clarifying and remedial in nature; providing that the act does not affect litigation that was initiated before the effective date of the act and that relates to laws amended by the act; providing an effective date.

—was referred to the Committees on Community Affairs; Budget; and Rules.

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By Senator Gaetz—

**SB 378**—A bill to be entitled An act relating to voting methods and procedure; amending s. 101.6952, F.S.; permitting absent uniformed services voters or overseas voters to use the Official Federal Write-In Absentee Ballot to vote in any federal, state, or local election; providing an effective date.

—was referred to the Committees on Rules; and Budget.

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By Senator Wise—

**SB 380**—A bill to be entitled An act relating to the certification of child welfare personnel; amending s. 402.40, F.S.; revising legislative intent; defining the terms “child welfare certification” and “professional credentialing entity”; requiring persons who provide child welfare services to be certified by a professional credentialing entity approved by the Department of Children and Family Services; providing requirements for department approval; deleting requirements relating to the establishment of a department training program, including training academies; revising the use of a department trust fund; deleting certain rulemaking authority of the department; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Governmental Oversight and Accountability; and Budget.

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By Senator Bogdanoff—

**SB 382**—A bill to be entitled An act relating to tax certificates; amending s. 197.502, F.S.; authorizing tax collectors to recover reimbursement for fees paid to vendors for providing electronic tax deed application services; authorizing certain tax collectors to require the use of electronic tax deed application services; providing an effective date.

—was referred to the Committees on Community Affairs; and Budget.

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By Senator Bogdanoff—

**SB 384**—A bill to be entitled An act relating to tangible personal property taxes; authorizing a person who rents heavy equipment to collect a tangible personal property tax recovery fee; defining the term “heavy equipment”; limiting the application of the act to short-term rental agreements; providing an effective date.

—was referred to the Committees on Community Affairs; Commerce and Tourism; and Budget.

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By Senators Bogdanoff, Fasano, and Gaetz—

**SB 386**—A bill to be entitled An act relating to preference to Florida businesses in procurement of personal property and services; providing a short title; amending s. 283.35, F.S.; requiring an agency, county, municipality, school district, or other political subdivision of the state to grant a specified preference to a vendor located within the state when awarding a contract for printing under certain circumstances; specifying the percentages of preference to be granted; providing nonapplicability; amending s. 287.084, F.S.; requiring, rather than authorizing, an agency, county, municipality, school district, or other political subdivision of the state in making purchases of personal property through competitive solicitation to award a preference to the lowest responsible and responsive vendor having a principal place of business within this state under specified circumstances; specifying the percentages of preference to be granted; providing nonapplicability; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Community Affairs; and Budget.

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By Senator Joyner—

**SB 388**—A bill to be entitled An act relating to children of incarcerated parents; providing legislative findings and purpose; providing guiding principles to be used by state agency personnel when dealing with children of incarcerated parents; providing applicability; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; and Rules.

By Senator Flores—

**SJR 390**—A joint resolution proposing an amendment to Section 4 of Article VII and the creation of a new Section in Article XII of the State Constitution to prohibit increases in the assessed value of homestead property if the just value of the property decreases and provide an effective date.

—was referred to the Committees on Community Affairs; Budget; and Rules.

By Senator Jones—

**SB 392**—A bill to be entitled An act relating to commercial parasailing; amending s. 327.02, F.S.; providing definitions; creating s. 327.375, F.S.; providing a short title; requiring the owner of a vessel engaged in commercial parasailing to obtain and carry an insurance policy; providing minimum coverage for the insurance policy; providing requirements for proof of insurance; specifying the insurance information that must be provided to each rider; providing for the launch and recovery of riders from a towing vessel; requiring a person engaged in operating a vessel for commercial parasailing to have certain licenses; requiring certain equipment; prohibiting commercial parasailing in certain areas, under certain weather conditions, and during certain hours; requiring a safety briefing for passengers and parasail riders; providing penalties; amending ss. 320.08, 327.391, 328.17, 342.07, 713.78, and 715.07, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Banking and Insurance; and Budget.

By Senator Jones—

**SB 394**—A bill to be entitled An act relating to the Department of Health; amending s. 381.0072, F.S.; redefining the term “food service establishment” to include child care facilities; placing the regulation of such facilities under the jurisdiction of the department; requiring that the department consult with specified agencies and not duplicate areas of inspection executed by such agencies; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Budget.

By Senator Bennett—

**SB 396**—A bill to be entitled An act relating to building construction and inspection; amending s. 255.252, F.S.; conforming provisions to changes made by the act; amending s. 255.253, F.S.; redefining the term “sustainable building rating” to include the International Green Construction Code; amending ss. 255.257 and 255.2575, F.S.; conforming provisions to changes made by the act; amending s. 468.8314, F.S.; expanding the categories of persons who may be certified as qualified for a license by endorsement as a home inspector; amending s. 553.74, F.S.; revising requirements for selecting a member of the Florida Building Commission; providing an effective date.

—was referred to the Committees on Community Affairs; Regulated Industries; and Budget.

By Senator Jones—

**SB 398**—A bill to be entitled An act relating to chiropractic medicine; amending s. 460.4062, F.S.; revising the requirements for obtaining a chiropractic medicine faculty certificate; amending s. 460.408, F.S.; prohibiting the Board of Chiropractic Medicine from approving the use of certain courses in continuing chiropractic education; amending s. 460.4165, F.S.; providing that services rendered by a certified chiropractic physician’s assistant under indirect supervision may occur only at the supervising chiropractic physician’s address of record; deleting the length of time specified for the basic program of education and training for certified chiropractic physician’s assistants; amending s. 460.4166, F.S.; requiring a person to register as a chiropractic assistant if he or she renders therapeutic services or administers therapeutic agents related

to a chiropractic physician’s treatment of a patient; providing registration requirements for such persons; requiring a registered chiropractic assistant to notify the board of his or her change of employment; providing that a person who exclusively performs nontherapeutic services is not required to register as a chiropractic assistant; requiring the approval of certain supervising chiropractic physicians by the board; providing an effective date for the board’s approval; requiring a fee for approval of a supervising chiropractic physician or group of chiropractic physicians; requiring the board to adopt by rule an application form for the initial registration of a registered chiropractic assistant, a form for the approval of a supervising chiropractic physician, and the notice of a change of employment for a registered chiropractic assistant; amending s. 460.4167, F.S.; authorizing certain sole proprietorships, group practices, partnerships, corporations, limited liability companies, limited partnerships, professional associations, other entities, health care clinics licensed under part X of ch. 400, F.S., health maintenance organizations, or prepaid health clinics to employ a chiropractic physician or engage a chiropractic physician as an independent contractor to provide services authorized by ch. 460, F.S.; authorizing the spouse or adult children of a deceased chiropractic physician to hold, operate, pledge, sell, mortgage, assign, transfer, own, or control the deceased chiropractic physician’s ownership interests under certain conditions; authorizing an employer that employs a chiropractic physician to exercise control over the patient records of the employed chiropractor, policies and decisions relating to pricing, credit, refunds, warranties, and advertising, and decisions relating to office personnel and hours of practice; deleting an obsolete provision; providing an effective date.

—was referred to the Committees on Health Regulation; Budget; and Rules.

By Senators Wise and Fasano—

**SB 400**—A bill to be entitled An act relating to treatment-based drug court programs; amending s. 397.334, F.S.; providing that a court has the discretion to allow offenders with prior violent felony offenses into postadjudicatory treatment-based drug court programs on a case-by-case basis; requiring all offenders sentenced to a postadjudicatory drug court program who are drug court participants who are the subject of a violation of probation or community control hearing under specified provisions to have the violation of probation or community control heard by the judge presiding over the drug court program; providing that treatment-based drug court programs may include postadjudicatory programs provided under specified provisions; amending s. 921.0026, F.S.; increasing the number of Criminal Punishment Code scoresheet total sentence points that a defendant may have and be eligible for a postadjudicatory treatment-based drug court program; amending s. 948.01, F.S.; increasing the number of Criminal Punishment Code scoresheet total sentence points that a defendant may have and be eligible for a postadjudicatory treatment-based drug court program; amending s. 948.06, F.S.; making defendants other than those who have violated probation or community control by a failed or suspect substance abuse test eligible for postadjudicatory treatment-based drug court programs; increasing the number of Criminal Punishment Code scoresheet total sentence points that a defendant may have and be eligible for a postadjudicatory treatment-based drug court program; amending s. 948.20, F.S.; increasing the number of Criminal Punishment Code scoresheet total sentence points that a defendant may have and be eligible for a postadjudicatory treatment-based drug court program; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Negrón—

**SB 402**—A bill to be entitled An act relating to regulation of firearms and ammunition; amending s. 790.33, F.S.; clarifying and reorganizing provisions that preempt to the state the entire field of regulation of firearms; prohibiting specified persons and entities, when acting in their official capacity, from regulating or attempting to regulate firearms or ammunition in any manner except as specifically authorized by s. 790.33, F.S., or by general law; providing a penalty for knowing and willful violations; eliminating provisions authorizing counties to adopt an ordinance requiring a waiting period between the purchase and delivery of a handgun; providing additional intent of the section; providing

that public funds may not be used to defend the unlawful conduct of any person charged with a knowing and willful violation of the section; providing exceptions; providing fines for governmental entities in whose service or employ the provisions of the section are knowingly and willfully violated; providing for deposit of fines; providing for investigation of complaints of criminal violations of the section and prosecution of violators by the state attorney; providing for termination of employment or contract or removal from office of a person acting in an official capacity who knowingly and willfully violates any provision of the section; providing for declarative and injunctive relief for specified persons or organizations; providing for specified damages and interest; providing for seizure of certain municipal vehicles for specified nonpayment of damages; providing exceptions to prohibitions of the section; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; Judiciary; and Rules.

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By Senators Wise and Lynn—

**SB 404**—A bill to be entitled An act relating to transition-to-adulthood services; amending s. 985.03, F.S.; defining the term “transition-to-adulthood services”; creating s. 985.461, F.S.; providing legislative intent concerning transition-to-adulthood services for youth in the custody of the Department of Juvenile Justice; providing for eligibility for services for youth served by the department who are legally in the custody of the Department of Children and Family Services; providing that an adjudication of delinquency does not disqualify a youth in foster care from certain services from the Department of Children and Family Services; providing powers and duties of the Department of Juvenile Justice for transition services; providing for assessments; requiring that services be part of a plan leading to independence; amending s. 985.0301, F.S.; providing for retention of court jurisdiction over a child for a specified period following the child’s 19th birthday if the child is participating in transition-to-adulthood services; providing that certain services require voluntary participation by affected youth and do not create an involuntary court-sanctioned residential commitment; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; and Budget.

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By Senators Sobel, Gaetz, and Fasano—

**SB 406**—A bill to be entitled An act relating to the Florida Kidcare program; amending s. 1006.06, F.S.; requiring that the application form for the school breakfast and lunch programs also allow application for the Kidcare program or provide information about applying for the program; amending s. 624.91, F.S.; requiring the Florida Healthy Kids Corporation to include use of the school breakfast and lunch application form in the corporation’s plan for publicizing the program; providing an effective date.

—was referred to the Committees on Health Regulation; Education Pre-K - 12; and Budget.

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By Senator Richter—

**SB 408**—A bill to be entitled An act relating to property and casualty insurance; amending s. 624.407, F.S.; revising the amount of surplus funds required for domestic insurers applying for a certificate of authority after a certain date; amending s. 624.408, F.S.; revising the minimum surplus that must be maintained by certain insurers; authorizing the Office of Insurance Regulation to reduce the surplus requirement under specified circumstances; amending s. 624.4095, F.S.; excluding certain premiums for federal multiple-peril crop insurance from calculations for an insurer’s gross writing ratio; requiring insurers to disclose the gross written premiums for federal multiple-peril crop insurance in a financial statement; amending s. 624.424; revising the frequency that an insurer may use the same accountant or partner to prepare an annual audited financial report; amending s. 626.854, F.S.; providing limitations on the amount of compensation that may be received by a public adjuster for a reopened or supplemental claim; providing statements that may be considered deceptive or misleading if made in any public adjuster’s advertisement or solicitation; providing a

definition for the term “written advertisement”; requiring that a disclaimer be included in any public adjuster’s written advertisement; providing requirements for such disclaimer; requiring certain persons who act on behalf of an insurer to provide notice to the insurer, claimant, public adjuster, or legal representative for an onsite inspection of the insured property; authorizing the insured or claimant to deny access to the property if notice is not provided; requiring the public adjuster to ensure prompt notice of certain property loss claims; providing that an insurer be allowed to interview the insured directly about the loss claim; prohibiting the insurer from obstructing or preventing the public adjuster from communicating with the insured; requiring that the insurer communicate with the public adjuster in an effort to reach an agreement as to the scope of the covered loss under the insurance policy; prohibiting a public adjuster from restricting or preventing persons acting on behalf of the insured from having reasonable access to the insured or the insured’s property; prohibiting a public adjuster from restricting or preventing the insured’s adjuster from having reasonable access to or inspecting the insured’s property; authorizing the insured’s adjuster to be present for the inspection; prohibiting a licensed contractor or subcontractor from adjusting a claim on behalf of an insured if such contractor or subcontractor is not a licensed public adjuster; providing an exception; amending s. 626.8651, F.S.; requiring that a public adjuster apprentice complete a minimum number of hours of continuing education to qualify for licensure; amending s. 626.8796, F.S.; providing requirements for a public adjuster contract; creating s. 626.70132, F.S.; requiring that notice of a claim, supplemental claim, or reopened claim be given to the insurer within a specified period after a windstorm or hurricane occurs; providing a definition for the terms “supplemental claim” or “reopened claim”; providing applicability; amending s. 627.062, F.S.; requiring that the office issue an approval rather than a notice of intent to approve following its approval of a file and use filing; deleting an obsolete provision; prohibiting the Office of Insurance Regulation from, directly or indirectly, impeding the right of an insurer to acquire policyholders, advertise or appoint agents, or regulate agent commissions; revising the information that must be included in a rate filing relating to certain reinsurance or financing products; deleting a provision that prohibited an insurer from making certain rate filings within a certain period of time after a rate increase; deleting a provision prohibiting an insurer from filing for a rate increase within 6 months after it makes certain rate filings; deleting obsolete provisions relating to legislation enacted during the 2003 Special Session D of the Legislature; amending s. 627.0629, F.S.; providing legislative intent that insurers provide consumers with accurate pricing signals for alterations in order to minimize losses, but that mitigation discounts not result in a loss of income for the insurer; requiring rate filings for residential property insurance to include actuarially reasonable debits that provide proper pricing; providing for an increase in base rates if mitigation discounts exceed the aggregate reduction in expected losses; deleting obsolete provisions; deleting a requirement that the Office of Insurance Regulation propose a method for establishing discounts, debits, credits, and other rate differentials for hurricane mitigation by a certain date; requiring the Financial Services Commission to adopt rules relating to such debits by a certain date; deleting a provision that prohibits an insurer from including an expense or profit load in the cost of reinsurance to replace the Temporary Increase in Coverage Limits; conforming provisions to changes made by the act; amending s. 627.351, F.S.; renaming the “high-risk account” as the “coastal account”; revising the conditions under which the Citizens policyholder surcharge may be imposed; providing that members of the Citizens Property Insurance Corporation Board of Governors are not prohibited from practicing in a certain profession if not prohibited by law or ordinance; prohibiting board members from voting on certain measures; changing the date on which the boundaries of high-risk areas eligible for certain wind-only coverages will be reduced if certain circumstances exist; amending s. 627.3511, F.S.; conforming provisions to changes made by the act; amending s. 627.4133, F.S.; authorizing an insurer to cancel policies after 45 days’ notice if the Office of Insurance Regulation determines that the cancellation of policies is necessary to protect the interests of the public or policyholders; authorizing the Office of Insurance Regulation to place an insurer under administrative supervision or appoint a receiver upon the consent of the insurer under certain circumstances; creating s. 627.43141, F.S.; providing definitions; requiring the delivery of a “Notice of Change in Policy Terms” under certain circumstances; specifying requirements for such notice; specifying actions constituting proof of notice; authorizing policy renewals to contain a change in policy terms; providing that receipt of payment by an insurer is deemed acceptance of new policy terms by an insured; providing that the original

policy remains in effect until the occurrence of specified events if an insurer fails to provide notice; providing intent; amending s. 627.7011, F.S.; requiring that an insurer pay the actual cash value of an insured loss for a dwelling, less any applicable deductible, under certain circumstances; requiring that a policyholder enter into a contract for the performance of building and structural repairs; requiring that an insurer pay certain remaining amounts; restricting insurers and contractors from requiring advance payments for certain repairs and expenses; authorizing an insured to make a claim for replacement costs within a certain period after the insurer pays actual cash value to make a claim for replacement costs; requiring an insurer to pay the replacement costs if a total loss occurs; allowing an insurer to limit its initial payment for losses to personal property; amending s. 627.70131, F.S.; specifying application of certain time periods to initial or supplemental property insurance claim notices and payments; providing legislative findings with respect to 2005 statutory changes relating to sinkhole insurance coverage and statutory changes in this act; amending s. 627.706, F.S.; authorizing an insurer to limit coverage for catastrophic ground cover collapse to the principal building and to have discretion to provide additional coverage; allowing the deductible to include costs relating to an investigation of whether sinkhole activity is present; revising definitions; defining the term "structural damage"; placing a 2-year statute of repose on claims for sinkhole coverage; amending s. 627.7061, F.S.; conforming provisions to changes made by the act; repealing s. 627.7065, F.S., relating to the establishment of a sinkhole database; amending s. 627.707, F.S.; revising provisions relating to the investigation of sinkholes by insurers; deleting a requirement that the insurer provide a policyholder with a statement regarding testing for sinkhole activity; providing a time limitation for demanding sinkhole testing by a policyholder and entering into a contract for repairs; requiring all repairs to be completed within a certain time; providing exceptions; providing a criminal penalty on a policyholder for accepting rebates from persons performing repairs; amending s. 627.7073, F.S.; revising provisions relating to inspection reports; providing that the presumption that the report is correct shifts the burden of proof; requiring the policyholder to file certain reports as a precondition to accepting payment; requiring a seller of real property to provide a buyer with a copy of any inspection reports and certifications; amending s. 627.7074, F.S.; revising provisions relating to neutral evaluation; requiring evaluation in order to make certain determinations; requiring that the neutral evaluator be allowed access to structures being evaluated; providing grounds for disqualifying an evaluator; allowing the Department of Financial Services to appoint an evaluator if the parties cannot come to agreement; revising the timeframes for scheduling a neutral evaluation conference; authorizing an evaluator to enlist another evaluator or other professionals; providing a time certain for issuing a report; providing that certain information is confidential; revising provisions relating to compliance with the evaluator's recommendations; providing that the evaluator is an agent of the department for the purposes of immunity from suit; requiring the department to adopt rules; amending s. 627.712, F.S.; conforming provisions to changes made by the act; providing effective dates.

—was referred to the Committees on Banking and Insurance; Budget; and Rules.

By Senator Bennett—

**SB 410**—A bill to be entitled An act relating to impact fees; reenacting s. 163.31801(5), F.S., relating to the burden of proof required by the government in an action challenging an impact fee; providing for retroactive operation of the act; providing for an exception under specified circumstances; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; and Rules.

**SJR 412**—Withdrawn prior to introduction.

By Senator Oelrich—

**SB 414**—A bill to be entitled An act relating to the Prostate Cancer Awareness Program; amending s. 381.911, F.S.; revising the structure and objectives of the Prostate Cancer Awareness Program; authorizing the University of Florida Prostate Disease Center, in collaboration with

other organizations and institutions, to establish a prostate cancer task force to replace the advisory committee; providing for membership and duties of the task force; requiring an annual report to the Governor, Legislature, and State Surgeon General; providing an effective date.

—was referred to the Committees on Health Regulation; Budget; and Rules.

By Senator Bogdanoff—

**SB 416**—A bill to be entitled An act relating to public records; providing a definition; providing an exemption from public-records requirements for photographs and video and audio recordings that depict or record the killing of a person; authorizing access to such photographs or video or audio recordings by specified members of the immediate family of the deceased subject of the photographs or video or audio recordings; providing for access to such records by local governmental entities or state or federal agencies in furtherance of official duties; providing for access pursuant to court order; providing guidelines of the court in issuing an order authorizing such photographs or video or audio recordings to be viewed, copied, or heard; requiring specified notice of a court petition to view or copy such records; providing penalties; exempting criminal or administrative proceedings from the act; providing for retroactive application; providing for future legislative review and repeal of the exemption; providing a finding of public necessity; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Governmental Oversight and Accountability.

By Senator Flores—

**SB 418**—A bill to be entitled An act relating to state lotteries; amending s. 24.112, F.S.; requiring each retailer of lottery tickets to provide assistance to any individual who is blind or visually impaired and has requested assistance in filling out his or her lottery ticket; providing a definition; providing that a retailer or an employee of the retailer is not liable under certain circumstances; providing an effective date.

—was referred to the Committees on Regulated Industries; Commerce and Tourism; and Rules.

By the Committee on Health Regulation—

**SB 420**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 381.8531, F.S.; providing that personal identifying information pertaining to a donor to the central repository for brain tumor biopsies or the brain tumor registry of the Florida Center for Brain Tumor Research is confidential and exempt from public-records requirements; providing an exception under certain conditions for information disclosed to a person engaged in bona fide research; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a finding of public necessity; providing an effective date.

—was referred to the Committees on Health Regulation; Governmental Oversight and Accountability; and Rules.

**SB 422**—Withdrawn prior to introduction.

By Senator Sobel—

**SB 424**—A bill to be entitled An act relating to physical education in public schools; amending s. 1003.455, F.S.; revising the requirements for waiver of student participation in physical education; authorizing a waiver through submission of a doctor's note specifying health reasons for nonparticipation; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

By Senator Latvala—

**SB 426**—A bill to be entitled An act relating to residential tenancies; amending s. 48.27, F.S.; authorizing certified process servers to serve writs of possession in actions for possession of residential property; amending s. 83.62, F.S.; conforming provisions; providing an effective date.

—was referred to the Committees on Judiciary; Community Affairs; and Rules.

By Senator Dean—

**SB 428**—A bill to be entitled An act relating to retired justices and judges; amending s. 25.073, F.S.; providing for a former justice or judge to be qualified to serve as a retired justice or judge under certain conditions; providing circumstances under which such justice or judge may not serve as a retired justice or judge; providing an effective date.

—was referred to the Committees on Judiciary; Rules; and Budget.

By Senator Altman—

**SB 430**—A bill to be entitled An act relating to veterans' affairs; amending s. 1.01, F.S.; expanding the definition of the term "veteran" for purposes of construction of the Florida Statutes; amending s. 295.0185, F.S.; providing educational opportunity at state expense for dependent children of military personnel who die or suffer certain disability in specified military operations; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Higher Education; and Budget.

By Senator Evers—

**SB 432**—A bill to be entitled An act relating to the privacy of firearms owners; creating s. 790.338, F.S.; providing that inquiries by physicians or other medical personnel concerning the ownership of a firearm by a patient or the family of a patient or the presence of a firearm in a private home or other domicile of a patient or the family of a patient violates the privacy of the patient or the patient's family members, respectively; prohibits conditioning the receipt of medical treatment or care on a person's willingness or refusal to disclose personal and private information unrelated to medical treatment in violation of an individual's privacy contrary to specified provisions; prohibiting entry of certain information concerning firearms into medical records or disclosure of such information by specified individuals; providing criminal penalties; providing increased maximum fines for certain violations; requiring informing the Attorney General of prosecution of violations; providing for collection of fines by the Attorney General in certain circumstances; providing an effective date.

—was referred to the Committees on Criminal Justice; Health Regulation; Judiciary; and Budget.

By Senators Latvala and Fasano—

**SB 434**—A bill to be entitled An act relating to the assessment of residential real property; creating s. 193.624, F.S.; providing definitions; prohibiting adding the value of certain improvements to the assessed value of certain real property; providing a limitation on the assessed value of certain real property; providing application; providing procedural requirements and limitations; requiring a nonrefundable filing fee; amending ss. 193.155 and 193.1554, F.S.; specifying additional exceptions to assessments of homestead and nonhomestead property at just value; amending s. 196.012, F.S.; deleting a definition; conforming a cross-reference; amending ss. 196.121 and 196.1995, F.S.; conforming cross-references; repealing s. 196.175, F.S., relating to the renewable energy source property tax exemption; providing for application; providing an effective date.

—was referred to the Committees on Community Affairs; and Budget.

By Senators Hill, Margolis, and Lynn—

**SB 436**—A bill to be entitled An act relating to seaport security; amending s. 311.12, F.S.; deleting provisions requiring the Department of Law Enforcement to establish a statewide seaport access eligibility reporting system; specifying that a federal Transportation Worker Identification Credential is the only authorization required for obtaining access to secure and restricted areas of a seaport; deleting the requirements for performing criminal history screening on certain persons authorized to regularly enter secure and restricted areas; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Criminal Justice; and Budget.

By Senator Hill—

**SB 438**—A bill to be entitled An act relating to injunctions for protection against domestic violence, repeat violence, sexual violence, or dating violence; amending ss. 741.30 and 784.046, F.S.; subject to available funding, directing the Florida Association of Court Clerks to develop an automated process by which a petitioner for an injunction for protection may request notification of service of the injunction or notice of other court actions related to the injunction; requiring that notice be given to the petitioner within a specified time; providing for the content of the notice; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Hill—

**SB 440**—A bill to be entitled An act relating to presidential elections; defining terms; establishing the Agreement Among the States to Elect the President by National Popular Vote; providing legislative intent; providing a method by which any state may become a member state; requiring a statewide popular election for President and Vice President of the United States; establishing a procedure for appointing presidential electors in member states; providing that the agreement becomes effective upon the occurrence of specified actions; providing for the withdrawal of a member state; requiring notification of member states when the agreement takes effect in a nonmember state or when a member state withdraws from the agreement; providing for severability; providing an effective date.

—was referred to the Committees on Rules Subcommittee on Ethics and Elections; Rules; Judiciary; and Budget.

By Senator Hill—

**SB 442**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; redefining the term "special risk member"; amending s. 121.0515, F.S.; revising criteria for membership in the special risk class to include members employed by public acute care hospitals serving certain patients; providing legislative findings that the act fulfills an important state interest; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Budget.

By Senators Bogdanoff and Benacquisto—

**SB 444**—A bill to be entitled An act relating to scrutinized companies; creating s. 287.135, F.S.; prohibiting a state agency or local governmental entity from contracting for goods and services of more than a certain amount with a company that is on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List; providing exceptions; providing for a civil action; providing penalties; providing a statute of repose; prohibiting a private right of action; requiring the Department of Management Services to notify the Attorney General after the act becomes law; providing that the act becomes inoperative if federal law



ceases to authorize states to enact such contracting prohibitions; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Community Affairs; and Budget.

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By Senators Hays, Sobel, and Gaetz—

**SB 446**—A bill to be entitled An act relating to dentistry and dental hygiene; amending s. 466.003, F.S.; revising the definition of the term “health access setting” and defining the term “school-based prevention program” for purposes of provisions regulating the practice of dentistry; amending s. 466.023, F.S.; revising the scope and area of practice for dental hygienists; amending s. 466.0235, F.S.; revising the locations at which dental hygienists may perform dental charting; amending s. 466.024, F.S.; authorizing dental hygienists to perform certain duties without supervision or authorization by a dentist; providing exceptions; requiring that dental hygienists in a health access setting provide a certain disclaimer to patients before a procedure is performed; providing that a health access setting may bill for certain services; requiring that dental hygienists provide a referral, encourage the establishment of a dental home, and maintain insurance coverage in specified circumstances; amending ss. 466.006 and 466.0067, F.S.; conforming cross-references; reenacting s. 466.00672(2), F.S., relating to the revocation of health access dental licenses, to incorporate the amendment made by the act to s. 466.003, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Health Regulation; Budget; and Rules.

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By Senators Bogdanoff and Sachs—

**SB 448**—A bill to be entitled An act relating to bullying of school children; amending s. 1006.147, F.S.; prohibiting bullying or harassment of a student or school employee by use of any computer, computer system, or computer network that is physically located on school property, regardless of ownership; adding “emotional hurt” to the list of behaviors that, when taken singularly or in combination, may indicate that a child is being bullied at school; defining the term “within the scope of a public K-12 educational institution”; requiring that each school district include in its districtwide policy instruction to students, parents, teachers, school administrators, counseling staff, and school volunteers on how to recognize behaviors that lead to bullying and harassment and how to take appropriate preventative action based on each of those individual’s observations; requiring that any complaint of a computer-related incident of bullying be investigated by a school district official using a computer on which web-filtering software is not installed; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Budget; and Rules.

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By Senator Bennett—

**SB 450**—A bill to be entitled An act relating to emergency management; creating s. 252.515, F.S.; providing a short title; providing immunity from civil liability for providers of temporary housing and aid to emergency first responders and their immediate family members following a declared emergency; providing nonapplicability; providing definitions; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Judiciary; and Rules.

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By Senator Fasano—

**SB 452**—A bill to be entitled An act relating to police dogs; requiring law enforcement agencies to provide specified veterinary services, including cremation services, for police dogs that have retired from the agency’s service; defining terms; providing an effective date.

—was referred to the Committees on Criminal Justice; Regulated Industries; and Budget.

By Senator Hill—

**SB 454**—A bill to be entitled An act relating to health care; creating the “Florida Hospital Patient Protection Act”; providing legislative findings; providing definitions; providing minimum staffing level requirements for the ratio of direct care registered nurses to patients in a health care facility; requiring that each health care facility implement a staffing plan; prohibiting the imposition of mandatory overtime and certain other actions by a health care facility; specifying the required nurse-to-patient ratios for each type of care provided; prohibiting the use of video cameras or monitors by a health care facility as a substitute for the required level of care; requiring that the chief nursing officer of a health care facility prepare a written staffing plan that meets the staffing levels required by the act; requiring that a health care facility annually evaluate its actual staffing levels and update the staffing plan based on the evaluation; requiring that certain documentation be submitted to the Agency for Health Care Administration and made available for public inspection; requiring that the agency develop uniform standards for use by health care facilities in establishing nurse staffing requirements; providing requirements for the committee members who are appointed to develop the uniform standards; requiring health care facilities to annually report certain information to the agency and post a notice containing such information in each unit of the facility; prohibiting a health care facility from assigning unlicensed personnel to perform functions or tasks that are performed by a licensed or registered nurse; specifying those actions that constitute professional practice by a direct care registered nurse; requiring that patient assessment be performed only by a direct care registered nurse; authorizing a direct care registered nurse to assign certain specified activities to other licensed or unlicensed nursing staff; prohibiting a health care facility from deploying technology that limits certain care provided by a direct care registered nurse; providing that it is a duty and right of a direct care registered nurse to act as the patient’s advocate; providing certain requirements with respect to such duty; authorizing a direct care registered nurse to refuse to perform certain activities if he or she determines that it is not in the best interests of the patient; providing that a direct care registered nurse may refuse to accept an assignment under certain circumstances; prohibiting a health care facility from discharging, discriminating, or retaliating against a nurse based on such refusal; providing that a direct care registered nurse has a right of action against a health care facility that violates certain provisions of the act; requiring that the Agency for Health Care Administration establish a toll-free telephone hotline to provide information and to receive reports of violations of the act; requiring that certain information be provided to each patient who is admitted to a health care facility; prohibiting a health care facility from interfering with the right of nurses to organize or bargain collectively; authorizing the agency to impose fines for violations of the act; requiring that the agency post in its website information regarding health care facilities that have violated the act; providing an effective date.

—was referred to the Committees on Health Regulation; Judiciary; and Budget.

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By Senator Diaz de la Portilla—

**SB 456**—A bill to be entitled An act relating to working waterfront property; creating s. 193.704, F.S.; providing definitions; specifying property that is eligible for classification as working waterfront property; requiring the assessment of working waterfront property based on current use; requiring an application for classification of property as working waterfront property; authorizing a property appraiser to approve an application that is not filed by a certain deadline due to extenuating circumstances; providing for the waiver of annual application requirements; providing for the loss of classification upon a change of ownership or use; requiring property owners to notify the property appraiser of changes in use or ownership of property; imposing a penalty on a property owner who fails to notify the property appraiser of an event resulting in the unlawful or improper classification of property as working waterfront property; requiring the imposition of tax liens to recover penalties and interest; providing for the assessment of a portion of property within a working waterfront property which is not used as working waterfront property; requiring that a property appraiser make a list relating to applications to certify property as working waterfront property; providing an appeal process for an application that has been denied; amending s. 195.073, F.S.; providing for the classification of land as working waterfront property on an assessment roll; amending s.

380.5105, F.S.; providing program objectives for the Stan Mayfield Working Waterfronts Program and the Florida Forever program for purposes of selecting certain projects; deleting project selection criteria; providing for nonretroactive operation of certain provisions; providing for continuation of funded status for certain projects; providing an alternate application deadline date for the 2011 calendar year; authorizing the Department of Revenue to adopt emergency rules; providing for severability; providing for retroactive operation; providing effective dates.

—was referred to the Committees on Community Affairs; Environmental Preservation and Conservation; and Budget.

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By Senator Hill—

**SB 458**—A bill to be entitled An act relating to administrative expunction of arrest records; amending s. 943.0581, F.S.; deleting language pertaining to discretion of a law enforcement agency as to whether to apply to the Department of Law Enforcement for the administrative expunction of any nonjudicial record of any arrest of a minor or an adult who is subsequently determined to have been arrested contrary to law or by mistake; providing for application for such expunction by the arrestee, or parent or legal guardian of a minor child arrestee, in the absence of such a determination by the law enforcement agency without the endorsement of the request by the agency; requiring submission of specified documentation with such a request for administrative expunction; limiting the requirements that requests be submitted on agency letterhead and contain certain signatures to those requests made by law enforcement agencies; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

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By Senator Hill—

**SB 460**—A bill to be entitled An act relating to resisting an officer or other specified person without violence; amending s. 843.02, F.S.; providing that resistance, obstruction, or opposition must be based on factors other than mere flight from an officer or other person to whom this section applies; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Rules.

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By Senator Latvala—

**SB 462**—A bill to be entitled An act relating to the Beverage Law; amending ss. 561.15 and 561.17, F.S.; exempting performance arts centers from obtaining approval from the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation of volunteer officers or directors of the performing arts center or of changes in such positions; providing an effective date.

—was referred to the Committees on Regulated Industries; Commerce and Tourism; and Rules.

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By Senator Latvala—

**SB 464**—A bill to be entitled An act relating to assault or battery of a law enforcement officer; creating s. 784.071, F.S.; requiring the Department of Law Enforcement to issue a blue alert if a law enforcement officer has been killed, suffered serious bodily injury, or been assaulted and the suspect has fled the scene, or if a law enforcement officer is missing while in the line of duty; requiring that the blue alert be disseminated on the emergency alert system through television, radio, and highway signs; providing that emergency traffic information may take precedence over blue alert information; providing an effective date.

—was referred to the Committees on Criminal Justice; Transportation; and Budget.

By Senator Negron—

**SB 466**—A bill to be entitled An act relating to the tourist development tax; amending s. 125.0104, F.S.; providing additional bonding authority for a certain additional tourist development tax; providing a limitation on tax revenues received from such tax and used for certain purposes; limiting the expenditure of ad valorem tax revenue for expansion of facilities by a county imposing a tourist development tax for certain purposes; providing for nonapplication of a prohibition against levying such tax in certain cities and towns under certain conditions; providing for controlling application notwithstanding certain contrary authority; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Community Affairs; and Budget.

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By Senator Bullard—

**SB 468**—A bill to be entitled An act relating to community redevelopment; amending s. 163.340, F.S.; expanding the definition of the term “blighted area” to include land previously used as a military facility; providing an effective date.

—was referred to the Committees on Community Affairs; Military Affairs, Space, and Domestic Security; and Budget.

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By Senator Bullard—

**SB 470**—A bill to be entitled An act relating to culpable negligence; providing a short title; amending s. 784.05, F.S.; providing that a person commits a felony of the third degree if he or she stores or leaves an assault weapon within the reach or easy access of another person if that person obtains the weapon and uses it to inflict injury or death; providing criminal penalties; providing exceptions; defining the term “assault weapon”; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

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By Senators Evers and Detert—

**SB 472**—A bill to be entitled An act relating to taxes imposed on prepaid limited health service organizations; amending s. 636.0145, F.S.; providing that an organization providing services solely to Medicaid recipients under a contract with Medicaid is exempt from paying certain insurance premium taxes; providing for retroactive operation; specifying that the act is remedial in nature and not a basis for certain refunds of tax; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

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By Senator Evers—

**SB 474**—A bill to be entitled An act relating to sales representative contracts; repealing s. 686.201, F.S., relating to sales representative contracts, commissions, requirements, termination of agreements, and civil remedies; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Judiciary; and Rules.

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By Senator Evers—

**SB 476**—A bill to be entitled An act relating to public lodging establishments; amending s. 509.013, F.S.; revising definitions; amending s. 509.032, F.S.; conforming provisions to changes made by the act; providing that vacation rentals are residential property for purposes of provisions related to the treatment of such properties; amending s. 509.101, F.S.; requiring that the operator of a vacation rental retain any advance payment or deposit made for the vacation rental until the occupancy begins or is cancelled; amending s. 509.221, F.S.; clarifying that vacation rentals are exempt from certain sanitary rules; amending s. 509.241, F.S.; clarifying an exemption from licensure for condominium

associations that do not own vacation rentals; amending s. 509.242, F.S.; providing that public lodging establishments formerly classified as resort condominiums and resort dwellings are classified as vacation rentals and defining the term “vacation rental”; amending s. 509.251, F.S., relating to license fees; conforming provisions to changes made by the act; deleting an obsolete provision; amending s. 509.291, F.S.; increasing the membership of an advisory council to the Division of Hotels and Restaurants of the Department of Business and Professional Regulation; providing for the Florida Vacation Rental Managers Association to appoint a member to the advisory council; providing an effective date.

—was referred to the Committees on Regulated Industries; Judiciary; and Budget.

By Senator Thrasher—

**SB 478**—A bill to be entitled An act relating to property taxation; amending s. 95.051, F.S.; tolling the statute of limitations relating to proceedings involving tax lien certificates or tax deeds during the period of an intervening bankruptcy; amending ss. 197.102, 197.122, 197.123, 197.162, 197.172, 197.182, 197.222, 197.2301, 197.322, 197.332, 197.343, 197.344, 197.3635, 197.373, 197.402, 197.403, 197.413, 197.414, 197.4155, 197.416, 197.417, 197.432, 197.4325, 197.442, 197.443, 197.462, 197.472, 197.473, 197.482, 197.492, 197.582, and 197.602, F.S.; revising, updating, and consolidating provisions of ch. 197, F.S., relating to definitions, tax collectors, lien of taxes, returns and assessments, unpaid or omitted taxes, discounts, interest rates, Department of Revenue responsibilities, tax bills, judicial sales, prepayment of taxes, assessment rolls, duties of tax collectors, tax notices, delinquent taxes, lienholders, special assessments, non-ad valorem assessments, tax payments, distribution of taxes, advertisements of property with delinquent taxes, attachment, delinquent personal property taxes, sales of property, tax certificates, tax deeds, tax sales, and proceedings involving the validity of a tax deed; amending s. 197.502, F.S.; revising provisions relating to applications for tax deeds; providing payment requirements; authorizing the tax collector to charge a fee to cover the costs to the tax collector for electronic tax deed programs or services; amending s. 197.542, F.S.; revising the minimum deposit after becoming the highest bidder for a tax deed; requiring a clerk to readvertise the sale of a tax deed if a previous buyer failed to make full payment for the tax deed; creating s. 197.146, F.S.; authorizing tax collectors to issue certificates of correction to tax rolls and outstanding delinquent taxes for uncollectable personal property accounts; requiring the tax collector to notify the property appraiser; providing construction; creating ss. 197.2421 and 197.2423, F.S., transferring, renumbering, and amending ss. 197.253, 197.303, and 197.3071, F.S., and amending ss. 197.243, 197.252, 197.254, 197.262, 197.263, 197.272, 197.282, 197.292, 197.301, and 197.312, F.S.; revising, updating, and consolidating provisions of ch. 197, F.S., relating to deferral of tax payments for real property, homestead property, recreational and commercial working waterfront property, and affordable rental property; creating s. 197.4725, F.S.; providing authorization and requirements for purchase of county-held tax certificates; specifying required amounts to be paid; providing for fees; providing for electronic services; amending s. 192.0105, F.S.; providing that the right to a discount for the early payment of taxes does not apply to certain partial payments of taxes; clarifying a taxpayer’s right to redeem real property and tax certificates; clarifying that a property owner may not be contacted by the holder of a tax certificate for 2 years following the date the certificate is issued; providing that s. 197.122, F.S., applies in certain circumstances; providing for the obligation of the property owner to obtain certain information; correcting cross-references; amending ss. 194.011, 194.013, and 196.011, F.S.; correcting cross-references; creating s. 197.603, F.S.; providing legislative intent; repealing s. 197.202, F.S., relating to destruction of 20-year-old tax receipts; repealing s. 197.242, F.S., relating to a short title; repealing ss. 197.304, 197.3041, 197.3042, 197.3043, 197.3044, 197.3045, 197.3046, 197.3047, 197.307, 197.3072, 197.3073, 197.3074, 197.3075, 197.3076, 197.3077, 197.3078, and 197.3079, F.S., relating to deferrals of tax payments; providing an effective date.

—was referred to the Committees on Community Affairs; and Budget.

By Senator Wise—

**SB 480**—A bill to be entitled An act relating to the Florida Endowment for Vocational Rehabilitation; amending s. 413.615, F.S.; removing

a provision that requires the State Board of Administration to invest and reinvest moneys in the endowment fund for the Florida Endowment for Vocational Rehabilitation; requiring that a specified percent of the remainder of all civil penalties received by a county court pursuant to ch. 318, F.S., be remitted to the Department of Revenue on a monthly basis for deposit in the endowment fund; requiring that a specified percent of the additional fine assessed for violating traffic regulations protecting mobility-impaired persons be remitted to the Department of Revenue on a monthly basis for deposit in the endowment fund; providing an effective date.

—was referred to the Committees on Community Affairs; Higher Education; Governmental Oversight and Accountability; and Budget.

By Senator Wise—

**SB 482**—A bill to be entitled An act relating to supervised visitation and exchange monitoring; creating s. 753.06, F.S.; adopting state standards for supervised visitation programs; providing for modification; requiring the standards to be published on the website of the Clearinghouse on Supervised Visitation; requiring each program to annually affirm compliance with the standards to the court; providing that after a specified date only those programs that adhere to the state standards may receive state funding; creating s. 753.07, F.S.; providing factors for the court or child-placing agency to consider when referring cases for supervised visitation or exchange monitoring; specifying training requirements for persons providing such services; authorizing supervised visitation programs to alert the court to problems with referred cases; creating s. 753.08, F.S.; requiring supervised visitation programs to conduct security background checks of employees and volunteers; providing requirements for such checks; requiring that an employer furnish a copy of the personnel record for the employee or former employee upon request; providing immunity to employers who provide information for purposes of a background check; requiring that all applicants hired or certified by a program after a specified date undergo a level 2 background screening; delegating responsibility for screening criminal history information and for costs; authorizing a supervised visitation program to participate in the Volunteer and Employee Criminal History System in order to obtain criminal history information; providing that certain persons providing services at a supervised visitation program are presumed to act in good faith and are immune from civil or criminal liability; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Budget.

By Senator Hays—

**SM 484**—A memorial to the Congress of the United States, urging Congress to oppose any effort to impose new discriminatory taxes that would significantly limit the use of reinsurance provided by companies located outside the United States.

—was referred to the Committees on Banking and Insurance; and Budget.

By Senator Hays—

**SB 486**—A bill to be entitled An act relating to water management district governing boards; creating s. 373.0725, F.S.; establishing a water management district governing board nominating commission; providing criteria for governing board member nominees; providing for the appointment of commission members by the Governor, the President of the Senate, and the Speaker of the House of Representatives; providing for terms and duties of commission members; requiring the Executive Office of the Governor to provide administrative support to the commission and to adopt rules; amending s. 373.086, F.S.; requiring governing boards to obtain legislative authorization for acquisition costs and professional service procurement costs in excess of specified amounts; amending s. 373.089, F.S.; requiring governing boards to review and make available for purchase specified lands; amending s. 373.139, F.S.; prohibiting the purchase of specified lands by a governing board unless deemed environmentally critical or sensitive by the Century Commission for a Sustainable Florida and authorized by the Legislature; amending s. 112.3145, F.S.; providing that members of the

water management district governing board nominating commission are state officers for purposes of financial disclosure requirements; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Governmental Oversight and Accountability; and Budget.

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By Senator Fasano—

**SB 488**—A bill to be entitled An act relating to sexual offenses; amending s. 90.404, F.S.; permitting admission of evidence of the defendant's commission of other crimes of a sexual nature in a criminal case in which the defendant is charged with a crime of a sexual nature; defining the term "crime of a sexual nature"; requiring that any property or material that constitutes child pornography and that is used in a criminal proceeding remain in the care, custody, and control of the law enforcement agency, state attorney, or court; permitting access to the materials by the defendant; amending s. 395.1021, F.S.; requiring a licensed facility that provides emergency room services to arrange for the gathering of forensic medical evidence required for an investigation and prosecution from a victim who has reported a sexual battery to a law enforcement agency or who requests that such evidence be gathered for a possible future report; amending s. 775.15, F.S.; providing that a prosecution for video voyeurism in violation of specified provisions may be commenced within 1 year after the victim of video voyeurism obtains actual knowledge of the existence of such a recording or the recording is confiscated by a law enforcement agency, whichever occurs first; providing that dissemination of a recording before such knowledge or confiscation does not affect such a time period; amending ss. 794.056 and 938.085, F.S.; requiring that an additional court cost or surcharge be assessed against a defendant who pleads guilty or nolo contendere to, or is found guilty of, regardless of adjudication, certain criminal offenses; providing for proceeds of the additional court cost or surcharge to be deposited into the Rape Crisis Program Trust Fund; amending s. 960.003, F.S.; requiring the court to order a person who has been charged by information or indictment with, or alleged by petition for delinquency to have committed, a specified offense that involves the transmission of body fluids from one person to another, upon request of the victim or the victim's legal guardian, to undergo HIV testing within 48 hours after the information, indictment, or petition for delinquency is filed rather than 48 hours after the court order; reenacting s. 20.435(21)(a), F.S., relating to the Rape Crisis Program Trust Fund, to incorporate the amendment made to s. 794.056, F.S., in a reference thereto; reenacting s. 794.055(3)(b), F.S., relating to access to services for victims of sexual battery, to incorporate the amendment made to s. 938.085, F.S., in a reference thereto; amending s. 960.198, F.S.; authorizing relocation assistance awards to victims of sexual violence; amending s. 1003.42, F.S.; requiring that public schools provide comprehensive health education that addresses concepts of Internet safety; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Health Regulation; and Budget.

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By Senator Jones—

**SB 490**—A bill to be entitled An act relating to financial responsibility for medical expenses of pretrial detainees or sentenced inmates; amending s. 901.35, F.S.; providing that the responsibility for paying the expenses of medical care, treatment, hospitalization, and transportation for a person who is ill, wounded, or otherwise injured during or as a result of an arrest for a violation of a state law or a county or municipal ordinance is the responsibility of the person receiving the medical care, treatment, hospitalization, or transportation; removing provisions establishing the order by which medical providers receive reimbursement for the expenses incurred in providing the medical services or transportation; amending s. 951.032, F.S.; setting forth the order by which a county or municipal detention facility may seek reimbursement for the expenses incurred during the course of treating or transporting in-custody pretrial detainees or sentenced inmates; requiring each in-custody pretrial detainee or sentenced inmate who receives medical care or other services to cooperate with the county or municipal detention facility in seeking reimbursement for the expenses incurred by the facility; setting forth the order of fiscal resources from which a third-party provider of medical services may seek reimbursement for the expenses the provider incurred in providing medical care; providing that, absent a written

agreement between a third-party provider and a governmental body, the remuneration be billed by the third-party provider and paid by the governmental body at a rate not to exceed a specified percent of the Medicare allowable rate for the service rendered; requiring each in-custody pretrial detainee or sentenced inmate who has health insurance, subscribes to a health care corporation, or receives health care benefits from any other source to assign such benefits to the health care provider; providing an effective date.

—was referred to the Committees on Community Affairs; Health Regulation; and Budget.

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By Senator Wise—

**SB 492**—A bill to be entitled An act relating to road and bridge designations; designating the Duval County Law Enforcement Memorial Overpass in Duval County; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

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By Senator Fasano—

**SB 494**—A bill to be entitled An act relating to sexual offenders and predators; amending s. 903.046, F.S.; requiring a court considering whether to release a defendant on bail to determine whether the defendant is subject to registration as a sexual offender or predator and, if so, to hold the defendant without bail until the first appearance on the case; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

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By Senator Margolis—

**SB 496**—A bill to be entitled An act relating to ocean lifeguards; amending s. 784.07, F.S.; providing a definition; providing enhanced penalties for an assault or battery on an ocean lifeguard; amending s. 901.15, F.S., relating to arrest without warrant; conforming provisions; amending s. 921.0022, F.S., and reenacting paragraph (3)(d), F.S., relating to the offense severity ranking chart, to conform; amending ss. 943.051 and 985.11, F.S., relating to criminal justice information; conforming provisions; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

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**SB 498**—Withdrawn prior to introduction.

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By Senator Oelrich—

**SB 500**—A bill to be entitled An act relating to state university fee exemptions; providing a short title; amending s. 1009.25, F.S.; providing exemption from the payment of tuition and fees for students enrolled in certain foreign language courses offered at a state university; providing for repeal unless reviewed and reenacted by the Legislature; providing an effective date.

—was referred to the Committees on Higher Education; and Budget.

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By Senator Oelrich—

**SB 502**—A bill to be entitled An act relating to state symbols; creating s. 15.03865, F.S.; designating the Barking Tree Frog as the official state amphibian; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Governmental Oversight and Accountability; and Rules.

By Senator Bogdanoff—

**SB 504**—A bill to be entitled An act relating to child visitation; amending s. 39.0139, F.S.; revising legislative intent; requiring probable cause of sexual abuse in order to create a presumption of detriment; providing that persons meeting specified criteria may not visit or have contact with a child without a hearing and court order; revising requirements for a hearing seeking to rebut a presumption of detriment; revising provisions relating to hearings on whether to prohibit or restrict visitation or other contact with the person who is alleged to have influenced a child’s testimony; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Budget.

By Senator Bogdanoff—

**SB 506**—A bill to be entitled An act relating to economic development; amending s. 196.012, F.S.; revising the definitions of the terms “new business” and “expansion of an existing business”; amending s. 196.1995, F.S.; authorizing the board of county commissioners of a charter county to call and hold a referendum to determine whether to grant economic development ad valorem tax exemptions; revising the language of ballot questions relating to the authority to grant economic development tax exemptions; providing for application of a provision limiting the calling of another referendum within a certain time period; specifying additional information that must be included in a written application requesting adoption of an ordinance granting an economic development ad valorem tax exemption; specifying factors for a board of county commissioners or governing authority of a municipality to consider when deciding whether to approve or reject applications for economic development tax exemptions; providing legislative intent; limiting the allowable duration of an economic development tax exemption granted by a county or municipal ordinance; authorizing written tax exemption agreements consistent with the act upon approval of a tax exemption application; specifying that the written tax agreement must require the applicant to report certain information at a specific time before expiration of the exemption; authorizing the board of county commissioners or the governing authority of the municipality to revoke, in whole or in part, the exemption under certain circumstances; providing an effective date.

—was referred to the Committees on Community Affairs; Commerce and Tourism; and Budget.

By Senator Bogdanoff—

**SB 508**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; establishing an annual 3-day sales tax holiday within which sales taxes are not collected on certain clothing, computers, and school supplies; providing for the adoption of rules; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Budget; and Rules.

By Senator Latvala—

**SB 510**—A bill to be entitled An act relating to the Hurricane Loss Mitigation Program; amending s. 215.559, F.S.; extending the repeal date of the program; deleting an obsolete provision relating to the use of funds for programs to retrofit certain existing facilities; providing an effective date.

—was referred to the Committees on Community Affairs; and Budget.

By Senator Negron—

**SB 512**—A bill to be entitled An act relating to vessels; amending s. 327.33, F.S.; revising penalty provisions for violation of navigation rules; providing that such violations that do not constitute reckless operation of a vessel are noncriminal violations; amending s. 327.73, F.S.; providing for increased penalties for certain noncriminal violations; deleting a duplicate provision; amending s. 327.70, F.S.; conforming a cross-re-

ference to changes made by the act; reenacting and amending s. 327.72, F.S., relating to penalties, to incorporate changes made by the act in references thereto; reenacting s. 327.731(1), F.S., relating to mandatory education for violators, to incorporate changes made by the act in references thereto; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and Budget.

By Senator Garcia—

**SB 514**—A bill to be entitled An act relating to vehicle crashes involving death; providing a short title; amending s. 316.027, F.S.; requiring a defendant who was arrested for leaving the scene of a crash involving death be held in custody until brought before a judge for admittance to bail in certain circumstances; reenacting s. 921.0022(3)(g), F.S., relating to the Criminal Punishment Code, to incorporate the amendments made to s. 316.027, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Garcia—

**SB 516**—A bill to be entitled An act relating to autism; creating the Autism Spectrum Disorder Study Committee to study autism spectrum disorder in families in which English is the second language; providing for membership, meetings, and duties; prohibiting committee members from receiving compensation for their services; authorizing certain funding for publications, subject to approval of the State Surgeon General; requiring a report to the Governor and Legislature; providing for expiration of the committee; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Governmental Oversight and Accountability; and Budget.

By Senators Hays and Gaetz—

**SB 518**—A bill to be entitled An act relating to the verification of employment eligibility; defining terms; requiring every employer to use the Employment Authorization Program to verify the employment eligibility of each employee on or after a specified date; providing that a business that does not use the E-Verify system to verify the employment eligibility of the employee shall lose its license to do business in this state until the business has registered with the E-Verify system; requiring that each verification be made in accordance with certain provisions of federal law; prohibiting an employer from employing an unauthorized alien; authorizing certain persons to file a complaint with the Department of Business and Professional Regulation or the Agency for Workforce Innovation alleging that an employer has employed an unauthorized alien; prohibiting the filing of a complaint based on race, color, or national origin; providing that a person who knowingly files a false and frivolous complaint commits a misdemeanor of the second degree; providing criminal penalties; requiring the department or the Agency for Workforce Innovation to notify the employer upon receipt of a complaint; requiring the department or the Agency for Workforce Innovation to investigate whether a violation has occurred; authorizing the department and the Agency for Workforce Innovation to issue a subpoena for the production of documents; requiring the department or the Agency for Workforce Innovation to request that the Federal Government verify the employment eligibility of any employee named in a complaint; prohibiting the department or the Agency for Workforce Innovation from independently making a final determination regarding whether an employee is authorized to be employed in the United States; requiring the department or the Agency for Workforce Innovation to notify certain entities after determining that the employer has employed an unauthorized alien; prohibiting the department or the Agency for Workforce Innovation from acting on a complaint for a violation of law occurring before a specified date; requiring the department or the Agency for Workforce Innovation to order an employer to take certain action upon a first violation of the prohibition against hiring an unauthorized alien; requiring that certain licenses of an employer be suspended if the employer fails to file an affidavit confirming the termination of employment of an unauthorized alien; providing for

reinstatement of such licenses under certain circumstances; requiring that the department or the Agency for Workforce Innovation take certain action against an employer for a second violation within a specified period following the prohibition against hiring an unauthorized alien; requiring the Agency for Workforce Innovation to maintain a public database containing certain information and make such information available on its website; authorizing the department or the Agency for Workforce Innovation to apply to the appropriate circuit court for a judicial order directing an employer to comply with an order issued by the department or the Agency for Workforce Innovation; creating a rebuttable presumption for certain employers that the employer did not knowingly employ an unauthorized alien; authorizing an employer or employee to seek an injunction under certain circumstances; providing that certain actions by an employer constitute an unfair trade practice; providing that an employee aggrieved by such actions has a private cause of action against the employer for a deceptive and unfair trade practice; providing for an award of court costs and attorney's fees; providing that a cause of action does not exist against an employer participating in the E-Verify system on the date of such actions; providing for construction of the act; creating s. 287.135, F.S.; defining terms; requiring every public employer to register with and participate in the E-Verify system for specified purposes; prohibiting a public employer, contractor, or subcontractor from entering into a contract for the physical performance of services in this state unless the contractor or subcontractor registers and participates in the system; requiring that subcontractors certify certain information to contractors by specified means; requiring that a contractor maintain a copy of the certification for a specified period; authorizing a contractor to terminate a contract with a subcontractor under certain conditions; providing that such termination is not a breach of contract; authorizing a subcontractor to challenge a termination within a specified period; requiring that a public contractor terminate a contract if the contractor or subcontractor is in violation of the act; providing that such termination is not a breach of contract; authorizing a contractor or subcontractor to challenge such a termination within a specified period; providing guidelines for interpretation of the provisions of the act; providing for severability; providing an effective date.

—was referred to the Committees on Judiciary; Commerce and Tourism; Regulated Industries; and Budget.

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By Senator Bennett—

**SB 520**—A bill to be entitled An act relating to state memorials; creating s. 265.003, F.S.; providing legislative intent; establishing the Florida Veterans' Hall of Fame on the Plaza Level of the Capitol Building; providing for the Department of Veterans' Affairs to administer the Florida Veterans' Hall of Fame; authorizing the department to establish a nomination and selection process and an induction ceremony; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Governmental Oversight and Accountability; and Budget.

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By Senator Diaz de la Portilla—

**SB 522**—A bill to be entitled An act relating to cardrooms; amending s. 849.086, F.S.; providing for bingo games to be offered in cardrooms; revising the definition of the term "authorized game" to include bingo; defining the term "bingo"; defining the term "gross receipts" for purposes of bingo games; providing an effective date.

—was referred to the Committees on Regulated Industries; and Budget.

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By Senators Latvala, Hill, Garcia, Joyner, Ring, and Storms—

**SB 524**—A bill to be entitled An act relating to seaport security; amending s. 311.12, F.S.; deleting provisions relating to statewide minimum standards for seaport security; deleting provisions authorizing the Department of Law Enforcement to exempt all or part of a seaport from specified requirements in certain circumstances; revising provisions relating to seaport security plans; revising requirements for certain secure or restricted areas; deleting provisions requiring that the

Department of Law Enforcement administer a statewide seaport access eligibility reporting system; deleting provisions requiring that persons seeking authorization to access secure and restricted areas of a seaport execute an affidavit; prohibiting a seaport from charging any fee for administration or production of access control credentials that require or are associated with a fingerprint-based background check, in addition to the fee for the federal TWIC; providing for issuance of seaport-specific access credentials; deleting provisions requiring fingerprint-based state criminal history checks on seaport employee applicants, current employees, and other authorized persons; deleting provisions authorizing waivers from security requirements in certain circumstances; revising provisions relating to inspections; revising reporting requirements; revising the parties that determine the allocation of appropriated funds for security project needs; amending ss. 311.121, 311.123, and 311.124, F.S.; conforming provisions to changes made by the act; repealing s. 311.115, F.S., relating to the Seaport Security Standards Advisory Council; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Transportation; and Budget.

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By Senator Sobel—

**SB 526**—A bill to be entitled An act relating to beach waters; amending s. 514.023, F.S.; requiring a report to the Governor and Legislature by a certain date with certain recommendations; requiring the Department of Health to investigate the sources of contamination of beach waters; requiring the department to develop and implement a public education program regarding human actions that affect the water quality of beach waters; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Health Regulation; and Budget.

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By Senator Oelrich—

**SB 528**—A bill to be entitled An act relating to the creation of the Department of Health and Human Services; amending s. 20.04, F.S.; authorizing the department to establish regions headed by deputy secretaries; conforming terminology; creating s. 20.601, F.S.; creating the Department of Health and Human Services; providing for mission and purpose; providing for appointment of a Secretary of Health and Human Services by the Governor; providing duties of the secretary; authorizing the secretary to appoint regional deputy secretaries; establishing regions for the administration of program services; establishing program divisions within each region; requiring the department to consult with counties regarding mandated programs; providing guidelines for procurement of health services; creating s. 20.602, F.S.; establishing the Central Office of Investigative Services; providing duties; establishing the Office of Inspector General in the Central Office of Investigative Services; requiring each region to have a separate investigative office; amending s. 1001.706, F.S.; directing the Board of Governors to establish regional policy development and research exchange centers at specified state universities for certain purposes; repealing s. 20.19, F.S., relating to the Department of Children and Family Services; repealing s. 20.195, F.S., relating to Department of Children and Family Services trust funds; repealing s. 20.197, F.S., relating to the Agency for Persons with Disabilities; repealing s. 20.1971, F.S., relating to the Agency for Persons with Disabilities trust funds; repealing s. 20.42, F.S., relating to the Agency for Health Care Administration; repealing s. 20.425, F.S., relating to Agency for Health Care Administration trust funds; repealing s. 20.43, F.S., relating to the Department of Health; repealing s. 20.435, F.S., relating to Department of Health trust funds; providing a directive to the Division of Statutory Revision to change the name of the Department of Children and Family Services to the Department of Health and Human Services; transferring and reassigning certain functions and responsibilities, including records, personnel, property, and unexpended balances of appropriations and other resources, from the Agency for Health Care Administration, the Agency for Persons with Disabilities, the Department of Children and Family Services, and the Department of Health to the Department of Health and Human Services by a type two transfer; providing an effective date.

—was referred to the Committees on Health Regulation; Children, Families, and Elder Affairs; Governmental Oversight and Accountability; and Budget.

By Senator Fasano—

**SB 530**—A bill to be entitled An act relating to condominium, cooperative, and homeowners' associations; amending s. 718.111, F.S.; revising provisions relating to the official records of condominium associations; providing for disclosure of employment agreements or compensation paid to association employees; amending s. 718.112, F.S.; revising provisions relating to board of administration and unit owner meetings; providing that board of administration meetings discussing personnel matters are not open to unit members; requiring that certain educational curriculum be completed within a specified time before the election or appointment of a board director; amending s. 718.114, F.S.; requiring the vote or written consent of a majority of the voting interests before a condominium association may enter into certain agreements to acquire leaseholds, memberships, or other possessory or use interests; amending s. 718.116, F.S.; revising provisions relating to condominium assessments; authorizing the association to charge for collection services for delinquent accounts; authorizing a claim of lien to secure reasonable expenses for collection services for a delinquent account; requiring any rent payments received by an association from a tenant to be applied to the most delinquent monetary obligation of a unit owner; amending s. 718.117, F.S.; providing procedures and requirements for partial termination of a condominium property; requiring that a lien against a condominium unit being terminated be transferred to the proceeds of sale for that property; amending s. 718.303, F.S.; revising provisions relating to imposing remedies against a delinquent unit owner; requiring that the suspension of certain rights of use or voting rights be approved at a noticed board meeting; amending s. 718.703, F.S.; redefining the term "bulk assignee" for purposes of the Distressed Condominium Relief Act; amending s. 718.704, F.S.; revising provisions relating to the assignment of developer rights by a bulk assignee; amending s. 718.705, F.S.; revising provisions relating to the transfer of control of a condominium board of administration to unit owners; amending s. 718.706, F.S.; revising provisions relating to the offering of units by a bulk assignee or bulk buyer; amending s. 718.707, F.S.; revising the time limitation for classification as a bulk assignee or bulk buyer; amending s. 719.108, F.S.; requiring any rent payments received by a cooperative association from a tenant to be applied to the most delinquent monetary obligation of a unit owner; amending s. 719.303, F.S.; revising provisions relating to imposing remedies against a delinquent unit owner in a cooperative; requiring that the suspension of certain rights of use or voting rights be approved at a noticed board meeting; amending s. 720.303, F.S.; revising provisions relating to records that are not accessible to members of a homeowners' association; providing for disclosure of employment agreements and compensation paid to association employees; amending s. 720.305, F.S.; revising provisions relating to imposing remedies against a delinquent member of a homeowners' association; requiring that the suspension of certain rights of use or voting rights be approved at a noticed board meeting; amending s. 720.3085, F.S.; authorizing a claim of lien to secure expenses for collection services for a delinquent account; requiring any rent payments received by an association from a tenant to be applied to the most delinquent monetary obligation of a parcel owner; amending s. 720.309, F.S.; providing for the allocation of communication services by a homeowners' association; providing for the cancellation of communication contracts; providing that hearing-impaired or legally blind owners and owners receiving certain supplemental security income or food stamps may discontinue the service without incurring costs; providing that residents may not be denied access to available franchised, licensed, or certificated cable or video service providers; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; Judiciary; and Budget.

By Senator Fasano—

**SB 532**—A bill to be entitled An act relating to public corruption; creating s. 775.0876, F.S.; providing for the reclassification of criminal offenses committed under color of law; providing an effective date.

—was referred to the Committees on Rules Subcommittee on Ethics and Elections; Rules; Criminal Justice; and Budget.

By Senator Wise—

**SB 534**—A bill to be entitled An act relating to firesafety; amending s. 633.01, F.S.; revising the rulemaking authority and responsibilities of the State Fire Marshal relating to educational and ancillary plants; amending s. 633.021, F.S.; revising the definition of the term "firesafety inspector"; amending s. 633.081, F.S.; revising requirements and procedures for inspections of buildings and equipment; abolishing special state firesafety inspector classifications and certifications; providing criteria, procedures, and requirements for special state firesafety inspectors to be certified as firesafety inspectors; amending s. 1013.12, F.S.; revising procedures and requirements for certain standards and inspection of educational property; providing procedures, criteria, and requirements for inspections of charter schools; providing reporting requirements; revising requirements for inspections of public post-secondary education facilities; deleting a provision requiring that the State Fire Marshal publish an annual report; amending s. 1013.371, F.S.; revising firesafety inspection requirements for educational institution boards to conform to certain codes; revising certain code enforcement authority of such boards; amending s. 1013.38, F.S.; requiring educational institution boards to submit certain facility site plans to certain local governmental entities for review; authorizing such entities to review site plans for compliance with certain provisions of the Florida Fire Prevention Code; specifying that site plans are not subject to local ordinances or local amendments to the Florida Fire Prevention Code; providing criteria for approving site plans and correcting firesafety compliance deficiencies; providing for referral of disputes to the State Fire Marshal; authorizing such boards to use certain firesafety inspectors for certain compliance reviews; imposing additional requirements for such boards relating to construction, renovation, or remodeling of educational facilities; providing an effective date.

—was referred to the Committees on Banking and Insurance; Education Pre-K - 12; Community Affairs; Higher Education; and Budget.

By Senator Fasano—

**SB 536**—A bill to be entitled An act relating to regional workforce boards; amending s. 445.007, F.S.; deleting a repeal date relating to a provision that restricts the use of state and federal funds provided to the boards; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Budget.

By Senator Joyner—

**SJR 538**—A joint resolution proposing an amendment to Section 4 of Article VI of the State Constitution to disqualify a person who is convicted of a felony from voting only until completion of all sentences imposed and expiration or completion of all conditions of supervision, if any.

—was referred to the Committees on Criminal Justice; Judiciary; Budget; and Rules.

**SR 540**—Not referenced.

By Senators Bennett and Smith—

**SB 542**—A bill to be entitled An act relating to the nursing home diversion program; amending s. 409.912, F.S.; directing the Agency for Health Care Administration to expand the nursing home diversion program to include Medicaid recipients who meet certain criteria; specifying locations for phased-in implementation of the program; revising conditions for enrollment in the program; providing for Medicaid recipient choice with regard to contractors; requiring the nursing home diversion contractor to provide an enrollee with information regarding alternative service providers; requiring certain enrollees to participate in the program; requiring the program to combine funding for Medicaid

services provided to specified individuals; removing an exception; excluding specified individuals from participation in the program; revising provisions relating to entities eligible to participate in the program; requiring the Department of Elderly Affairs and the agency to seek federal waivers to limit the number of nursing home diversion contractors in additional locations; directing the agency to impose certain requirements on contractors in the program; requiring the Office of Program Policy Analysis and Government Accountability, in consultation with the Auditor General, to evaluate the nursing home diversion contractors in the program; removing an obsolete provision relating to an appropriation for implementation of a pilot program; amending s. 408.040, F.S.; removing a reporting requirement, to conform; providing an effective date.

—was referred to the Committees on Health Regulation; Children, Families, and Elder Affairs; and Budget.

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By Senator Joyner—

**SB 544**—A bill to be entitled An act relating to barbering; amending s. 476.034, F.S.; defining the terms “barbering intern” and “internship sponsor”; creating s. 476.145, F.S.; providing for the selection and placement of barbering interns; requiring a school of barbering or a barbering program to provide written notice to the Barbers’ Board regarding the internship sponsor and the barbering intern; providing requirements and duties of the internship sponsor; requiring a barbershop to post notice regarding services of a student intern; requiring a barbering intern to possess written authorization to practice barbering; requiring the board to establish education prerequisites for barbering internships; authorizing the board to terminate an internship of a barbering intern or the sponsorship of an internship sponsor; requiring the board to give notice of termination; amending s. 476.188, F.S.; authorizing barber services to be provided by barbering interns; amending s. 476.192, F.S.; providing a limit on the registration fee for internship sponsors; amending s. 476.194, F.S., relating to prohibited acts, to conform; providing an effective date.

—was referred to the Committees on Regulated Industries; Higher Education; and Budget.

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By Senators Hays and Sobel—

**SB 546**—A bill to be entitled An act relating to dentists; amending s. 627.6474, F.S.; prohibiting contracts between health insurers and dentists from containing certain fee requirements set by the insurer under certain circumstances; providing a definition; amending s. 636.035, F.S.; prohibiting contracts between prepaid limited health service organizations and dentists from containing certain fee requirements set by the organization under certain circumstances; providing a definition; amending s. 641.315, F.S.; prohibiting contracts between health maintenance organizations and dentists from containing certain fee requirements set by the organization under certain circumstances; providing a definition; providing for application of the act; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Regulation; and Budget.

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By Senator Hays—

**SB 548**—A bill to be entitled An act relating to obsolete health care provisions; repealing s. 381.0091, F.S., relating to the designation of separate restrooms and separate dressing rooms for males and females; repealing s. 381.736, F.S., relating to the Florida Healthy People 2010 Program; repealing ss. 408.90-408.908, F.S., relating to the MedAccess program within the Agency for Health Care Administration; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

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By Senator Hays—

**SB 550**—A bill to be entitled An act relating to repealing budget provisions; amending s. 216.023, F.S.; deleting certain budget summary

requirements; repealing s. 339.1371, F.S., relating to Mobility 2000 funding; amending ss. 216.013 and 489.145, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

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By Senator Hays—

**SB 552**—A bill to be entitled An act relating to transportation corporations; removing provisions that provide for nonprofit corporations to act on behalf of the Department of Transportation to secure and obtain rights-of-way for transportation systems and to assist in the planning and design of such systems; repealing ss. 339.401-339.421, F.S., relating to the Florida Transportation Corporation Act, definition of terms used in the act, legislative findings and purpose, authorization of corporations, type and structure and income of corporation, contract between the Department of Transportation and the corporation, articles of incorporation, boards of directors, advisory directors, bylaws, notice of meetings and open records, amendment of articles of incorporation, powers of corporations, use of state property, exemption from taxation, authority to alter or dissolve corporation, dissolution upon completion of purposes, transfer of funds and property upon dissolution, department rules, construction of provisions, and issuance of debt; repealing s. 11.45(3)(m), F.S., removing a provision for audits of transportation corporations by the Auditor General, to conform; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

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By Senators Fasano, Jones, and Latvala—

**SB 554**—A bill to be entitled An act relating to community-based juvenile justice; creating s. 985.665, F.S.; providing legislative intent; defining the term “regional coordinating agency”; providing requirements for a regional coordinating agency; providing for the Department of Juvenile Justice to contract with regional coordinating agencies for specified services relating to juvenile justice; providing for annual measurement and reporting concerning the outcomes and effectiveness of community-based juvenile justice services; requiring regional coordinating agencies to comply with specified requirements; providing for liability of regional coordinating agencies and contracted providers with respect to the treatment of juvenile offenders; providing for governance of regional coordinating agencies; providing for 2-year pilot programs in specified judicial circuits; requiring reports; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

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By Senators Oelrich and Dockery—

**SB 556**—A bill to be entitled An act relating to drug screening of potential and existing beneficiaries of temporary cash assistance; creating s. 414.0652, F.S.; providing legislative intent; requiring the Department of Children and Family Services to establish a drug-screening program; requiring consent to drug screening as a condition to eligibility for or receipt of temporary cash assistance; limiting screening to certain persons; providing definitions; providing for notice; providing terms of disqualification for temporary cash assistance; requiring the department to supply information concerning substance abuse treatment; providing screening procedures; providing for the preservation of screening and confirmatory testing specimens; directing the department to submit a report to the Governor and Legislature; amending s. 414.095, F.S.; revising requirements for determination of eligibility for temporary cash assistance to conform to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

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By Senator Wise—

**SB 558**—A bill to be entitled An act relating to school district revenue enhancement; amending s. 14.2015, F.S.; requiring the Office of Tourism, Trade, and Economic Development to sell naming rights for a public school facility or space for commercial advertising to be displayed on school buses or a public school facility to a private sector business or



entity pursuant to an agreement with a district school board; providing requirements for a contract for sale and remittance of contract revenues; creating s. 1011.762, F.S.; authorizing a district school board to enter into an agreement with the Office of Tourism, Trade, and Economic Development for a contract for sale for school district revenue enhancement; providing for district school board requirements for the naming of a public school facility or advertising on school buses or public school facilities; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Commerce and Tourism; and Budget.

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By Senator Wise—

**SB 560**—A bill to be entitled An act relating to the sale of advertising; creating the “State Revenue Enhancement Act of 2011”; creating s. 288.082, F.S.; providing for the Office of Tourism, Trade, and Economic Development to sell naming rights and lease space for commercial advertising to be displayed on state transportation property; amending s. 14.2015, F.S.; revising duties of the office to include such sales and administration of contracts for the sales; providing an effective date.

—was referred to the Committees on Transportation; Commerce and Tourism; and Budget.

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By Senator Flores—

**SB 562**—A bill to be entitled An act relating to unemployment compensation benefits; amending s. 443.091, F.S.; providing conditions for claimants to be deemed available for work; requiring the Agency for Workforce Innovation to notify each claimant regarding requirements that constitute an active search for work; providing reporting requirements for claimants; providing conditions for an exemption from claimant reporting requirements; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Budget.

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By Senator Rich—

**SB 564**—A bill to be entitled An act relating to the Voluntary Pre-kindergarten Education Program; amending ss. 1002.55 and 1002.63, F.S.; providing that prekindergarten instructors in school-year pre-kindergarten programs delivered by private providers and public schools must meet new professional credentialing requirements beginning July 1, 2014; deleting provisions relating to alternate educational credentials, to conform; amending ss. 1002.61 and 1007.23, F.S.; conforming cross-references to changes made by the act; repealing s. 1002.65, F.S., relating to aspirational goals for the professional credentials of pre-kindergarten instructors; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

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By Senator Wise—

**SB 566**—A bill to be entitled An act relating to health care transition programs and services for adolescents and young adults who have special health care needs; providing legislative intent; establishing a program within the Division of Children’s Medical Services Network in the Department of Health to implement a health care transition program for adolescents and young adults who have special health care needs; specifying duties of the office with respect to the oversight, implementation, and coordination of the program; requiring that the program provide technical assistance to communities, providers, and organizations; requiring the Department of Health, in partnership with the Agency for Health Care Administration, to identify options for addressing the compensation of health care providers and improving access to adult and specialty health care for adolescents and young adults who have special health care needs; requiring the Department of Health to work with the Office of Insurance Regulation to explore and recommend effective policies that address medical management and health care transition services for adolescents and young adults who have special health care needs; requiring the Department of Health to work with community-

based pediatric and adult health care providers to explore and recommend the development of local health and transition services programs in each of the regions of the Children’s Medical Services Network; providing requirements for program structure and design; specifying the services that may be offered by local health and transition services programs; requiring that at least one proposed health and transition services program be associated with each of the regions of the Children’s Medical Services Network; requiring an evaluation of the program; providing an effective date.

—was referred to the Committees on Health Regulation; Children, Families, and Elder Affairs; and Budget.

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By the Committee on Judiciary—

**SB 568**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 744.1076, F.S., relating to public-record exemptions for court records relating to court monitors in guardianship proceedings; consolidating provisions; providing that orders appointing nonemergency court monitors are exempt rather than confidential and exempt; providing that only court orders finding no probable cause are confidential and exempt; saving the exemptions from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

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By the Committee on Judiciary—

**SB 570**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 787.03, F.S., relating to a public-records exemption for information submitted to a sheriff or state attorney for the purpose of obtaining immunity from prosecution for the offense of interference with custody; saving the exemption from repeal under the Open Government Sunset Review Act; deleting a provision providing for the repeal of the exemption; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

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By the Committee on Judiciary—

**SB 572**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; repealing s. 2, ch. 2006-179, Laws of Florida, relating to an exemption from public-records requirements for information that identifies donors and prospective donors to the direct-support organization of the Statewide Public Guardianship Office under s. 744.7082, F.S.; saving the exemption from repeal under the Open Government Sunset Review Act; abrogating the scheduled repeal of the exemption; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

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By Senator Wise—

**SB 574**—A bill to be entitled An act relating to preference in award of state contracts; amending s. 287.084, F.S.; expanding provisions that authorize an agency, county, municipality, school district, or other political subdivision of the state to provide preferential consideration to a Florida business in awarding competitively bid contracts to purchase personal property to include the purchase of construction services; providing that for specified competitive solicitations the authority to grant preference supersedes any local ordinance or regulation that grants preference to specified vendors; requiring a county, municipality, school district, or other political subdivision to make specified disclosures in competitive solicitation documents; providing construction; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Education Pre-K - 12; Community Affairs; and Budget.

By Senator Oelrich—

**SB 576**—A bill to be entitled An act relating to gambling devices; creating s. 849.162, F.S.; creating the “Electronic Machines and Devices for Sweepstakes Prohibited Act”; providing legislative findings and intent; providing definitions; prohibiting operation of an electronic device to conduct a sweepstakes through the use of an entertaining display or to promote such a sweepstakes; providing penalties; providing intent; providing for construction; amending s. 849.0935, F.S.; revising conditions for exceptions to provisions relating to drawings by chance conducted by certain organizations; amending s. 849.094, F.S., relating to game promotion in connection with sale of consumer products or services; revising the definition of the term “game promotion” to prohibit the use of a machine, computer, or other electronic or mechanical device; limiting the power of the Department of Agriculture and Consumer Services to adopt rules concerning the operation of game promotions; providing for construction; amending s. 849.15, F.S.; prohibiting production, possession, or distribution of, permitting possession or use of, or offering to provide any gambling apparatus or any part thereof that is otherwise prohibited from operation or possession; amending s. 849.16, F.S.; providing that described machines or devices are subject to specified provisions for gambling; amending s. 849.161, F.S.; revising provisions for amusement games or machines excluded from application of specified provisions relating to gambling; revising provisions for exceptions to such exclusions; defining the term “skill”; amending s. 895.02, F.S.; revising the definition of the term “racketeering activity” to include violations of the act; providing for construction; reenacting s. 721.111(2), F.S., relating to prize and gift promotional offers, to incorporate in a cross-reference changes made by the act; reenacting s. 338.234(1), F.S., relating to granting concessions or selling along the turnpike system, to incorporate in a cross-reference changes made by the act; reenacting s. 849.19, F.S., relating to property rights in confiscated machine, to incorporate in a cross-reference changes made by the act; reenacting s. 16.56(1)(a), F.S., relating to the Office of Statewide Prosecution, to incorporate in a cross-reference changes made by the act; reenacting s. 655.50(3)(g), F.S., relating to control of money laundering in financial institutions, to incorporate in a cross-reference changes made by the act; reenacting s. 896.101(2)(g), F.S., relating to money laundering, to incorporate in a cross-reference changes made by the act; reenacting s. 905.34(3), F.S., relating to jurisdiction of a statewide grand jury, to incorporate in a cross-reference changes made by the act; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Regulated Industries; and Budget.

By Senator Ring—

**SB 578**—A bill to be entitled An act relating to disability awareness; amending s. 1003.4205, F.S.; requiring district school boards to provide disability history and awareness instruction in all K-12 public schools during the first week in October; requiring certified individuals in disability awareness or teachers who specialize in exceptional student education to provide the disability history and awareness instruction; requiring the Governor’s Commission on Disabilities to initiate a study on training in disability awareness to be conducted by a private non-profit entity; providing requirements for the study and requiring submission of findings to the commission; requiring the commission to oversee a statewide program for providers of training in disability awareness; providing program components to include requirements for approval of providers and certification of individuals who provide instruction in disability awareness; providing for the payment of certain fees; requiring the commission to promote training in disability awareness in all public entities in the state; requiring the commission to encourage those public entities to participate in activities that provide instruction to expand knowledge, understanding, and awareness of individuals who have disabilities; requiring the commission to adopt rules; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Education Pre-K - 12; and Budget.

By Senator Oelrich—

**SB 580**—A bill to be entitled An act relating to building construction standards; amending s. 553.79, F.S.; prohibiting a local enforcement agency or building code official from requiring the inspection of any portion of a residential structure that is not directly related to the purpose for which a building permit is sought; providing an effective date.

—was referred to the Committees on Community Affairs; Regulated Industries; and Budget.

By Senator Detert—

**SB 582**—A bill to be entitled An act relating to local business taxes; amending s. 205.022, F.S.; defining the term “independent contractor”; creating s. 205.066, F.S.; exempting an individual engaging in or managing a business in an individual capacity as an employee from requirements related to local business taxes; specifying that an independent contractor is not an employee; prohibiting a local governing authority from holding an exempt employee liable for the failure of a principal or employer to comply with certain obligations related to a local business tax or requiring an exempt employee to take certain actions related to a local business tax; prohibiting a local governing authority from requiring a principal or employer to provide personal or contact information for exempt individuals in order to obtain a local business tax receipt; amending s. 205.194, F.S.; deleting obsolete provisions; deleting a requirement that the Department of Business and Professional Regulation provide certain professional regulation information to local officials who issue business tax receipts; deleting a provision prohibiting a local official who issues business tax receipts from renewing a license under certain circumstances; providing an effective date.

—was referred to the Committees on Community Affairs; Regulated Industries; and Budget.

By Senator Flores—

**SB 584**—A bill to be entitled An act relating to massage therapy; amending s. 480.041, F.S.; authorizing the Board of Massage Therapy to issue temporary permits to applicants who meet certain qualifications to practice massage therapy; providing for the expiration of temporary permits; providing limitations; amending s. 480.044, F.S.; providing for a temporary permit fee; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Wise—

**SB 586**—A bill to be entitled An act relating to Alzheimer’s disease; creating s. 430.5025, F.S.; directing the Department of Elderly Affairs to develop and implement a public education program relating to screening for Alzheimer’s disease; providing criteria for awarding grants; providing a definition; requiring grant recipients to submit an evaluation of certain activities to the department; authorizing the department to provide technical support; requiring an annual report to the Legislature; providing for implementation of the public education program to operate within existing resources of the department; providing that implementation of the memory-impairment screening grant program is contingent upon an appropriation of state funds or the availability of private resources; amending s. 400.1755, F.S.; specifying the types of facilities where an employee or direct caregiver providing care for persons with Alzheimer’s disease may begin employment without repeating certain training requirements; amending s. 400.6045, F.S.; requiring direct caregivers to comply with certain continuing education requirements; amending s. 429.178, F.S.; specifying the types of facilities where an employee or direct caregiver providing care for persons with Alzheimer’s disease may begin employment without repeating certain training requirements; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; and Budget.

By Senator Flores—

**SB 588**—A bill to be entitled An act relating to student safety; amending s. 1006.07, F.S.; requiring district school board policies that specify emergency procedures to identify the agency that is responsible for notifying the school district of an occurrence that threatens the safety of students; amending s. 1002.42, F.S.; requiring the agency to notify private schools in the school district; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Military Affairs, Space, and Domestic Security; and Budget.

By Senator Wise—

**SB 590**—A bill to be entitled An act relating to public employment practices; defining the terms “applicant” and “public employer”; prohibiting a public employer from inquiring into or considering the criminal history record of an applicant for public employment until the applicant has been selected for an interview by the public employer; providing that the restriction does not prohibit a public employer from notifying an applicant that a law or the employer’s policy may disqualify the applicant from employment in a particular position with the public employer; providing an exemption; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; Criminal Justice; and Budget.

By Senator Bennett—

**SJR 592**—A joint resolution proposing an amendment to Section 6 of Article VII of the State Constitution to expand the availability of the property tax discount on the homesteads of veterans who became disabled as the result of a combat injury to veterans who were not Florida residents when they entered the military.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Community Affairs; Budget; and Rules.

By Senator Hays—

**SB 594**—A bill to be entitled An act relating to statutes of limitations; amending s. 768.28, F.S.; providing that actions for wrongful death against the state or one of its agencies or subdivisions must be brought within the period applicable to actions brought against other defendants; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Community Affairs.

**Senate Bills 596-598**—Withdrawn prior to introduction.

By the Committee on Criminal Justice—

**SB 600**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public-records requirements for certain records relating to current and former employees of the Department of Juvenile Justice and their family members, including juvenile probation officers and supervisors, detention and assistant detention superintendents, juvenile justice detention officers and supervisors, juvenile justice residential officers and supervisors, juvenile justice counselors and supervisors, human service counselor administrators, senior human services counselor administrators, rehabilitation therapists, and social services counselors; requiring a written statement indicating reasonable efforts to protect such information from being accessible through other means available to the public; saving the exemption from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Accountability; and Rules.

By the Committee on Criminal Justice—

**SB 602**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public-records requirements for biometric identification information held by an agency; saving the exemption from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Accountability; and Rules.

By the Committee on Criminal Justice—

**SB 604**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 790.0601, F.S., which provides an exemption from public-records requirements for personal identifying information of an individual who has applied for or received a license to carry a concealed weapon or firearm; saving the exemption from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Accountability; and Rules.

By Senator Evers—

**SB 606**—A bill to be entitled An act relating to fertilizer; amending s. 403.9336, F.S.; deleting legislative findings relating to the implementation by local governments of certain fertilizer management practices; amending s. 403.9337, F.S.; deleting authority for certain counties and municipalities to adopt fertilizer management practices more stringent than standards of a specified model ordinance; amending ss. 570.07 and 576.181, F.S.; requiring the Department of Agricultural and Consumer Services to regulate the sale of fertilizer, including the composition, formulation, packaging, use, application, and distribution of fertilizer; preempting such regulation of fertilizer to the state and the department; specifying that such regulation of fertilizer by counties, municipalities, and other political subdivisions is void; providing an effective date.

—was referred to the Committees on Agriculture; Community Affairs; and Budget.

By Senator Evers—

**SB 608**—A bill to be entitled An act relating to traffic offenses; creating s. 318.195, F.S.; providing criminal penalties for a person who commits a moving violation that causes serious bodily injury to, or causes or contributes to the death of, a person operating or riding in a motor vehicle or operating or riding on a motorcycle; requiring that the person pay a specified fine, serve a minimum period of incarceration, and attend a driver improvement course; requiring the court to revoke the person’s driver’s license for a specified period; providing that the act does not prohibit the person from being charged with, convicted of, or punished for any other violation of law; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; and Budget.

By Senator Bennett—

**SB 610**—A bill to be entitled An act relating to the sale of event tickets; creating s. 255.0471, F.S.; providing legislative intent and purpose; defining terms; requiring the original seller of tickets to an event held at a publicly owned venue to keep all receipts from the ticket sales until the event occurs or to require a person or entity seeking an advance release of ticket sales to post a surety bond; providing that a ticket purchaser is entitled to a refund for a cancelled event; providing exceptions; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Budget.

By Senator Evers—

**SB 612**—A bill to be entitled An act relating to regulation of hoisting equipment used in construction, demolition, or excavation work; creating s. 489.1138, F.S.; defining the terms “hoisting equipment,” “mobile crane,” and “tower crane”; requiring an applicant for a building permit to submit certain information to a local building official; requiring radio communications between certain crane operators; requiring certain preparations for a hurricane or high-wind event; requiring a preparedness plan for certain cranes; requiring that hoisting equipment be secured in a specified manner under certain circumstances; providing penalties for violation of the act by certain licensed contractors; preempting regulation of hoisting equipment and persons operating the equipment to the state; providing that the act does not apply to the regulation of elevators; providing an effective date.

—was referred to the Committees on Community Affairs; Military Affairs, Space, and Domestic Security; and Budget.

By Senator Evers—

**SM 614**—A memorial to the Congress of the United States, urging Congress to support the implementation of a regional United Recovery Plan for the Northwest Florida Panhandle.

—was referred to the Committees on Community Affairs; and Environmental Preservation and Conservation.

By Senator Evers—

**SJR 616**—A joint resolution proposing an amendment to Section 9 of Article VII of the State Constitution to limit the maximum amount of ad valorem taxes that may be collected on a parcel of real property.

—was referred to the Committees on Community Affairs; Judiciary; Budget; and Rules.

By Senator Evers—

**SB 618**—A bill to be entitled An act relating to juvenile justice; amending s. 985.494, F.S.; requiring a child who is adjudicated delinquent, or for whom adjudication is withheld, to be committed to a maximum-risk residential program for an act that would be a felony if committed by an adult if the child has completed two different high-risk residential commitment programs; repealing s. 985.445, F.S., relating to cases involving grand theft of a motor vehicle committed by a child; amending ss. 985.0301, 985.47, 985.483, and 985.565, F.S.; conforming references to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

By Senator Garcia—

**SB 620**—A bill to be entitled An act relating to enterprise program development zones; designating the act as the “Urban Job Creation Investment Act”; providing definitions; creating the Urban Investment Job Creation Authority; providing for the appointment of members to the authority; specifying the duties of the authority to include specifying enterprise program zone boundaries, reviewing applications from businesses to become eligible for certain tax benefits, reviewing proposed projects for eligibility to receive funding from a local enterprise program zone development corporation, and conducting studies and filing reports; requiring the Office of Tourism, Trade, and Economic Development to provide administrative support to the authority; providing for the creation of enterprise zone development corporations by counties and municipalities as nonprofit corporations; providing for the appointment of the board of directors of those corporations; specifying the duties of the corporations to include implementing an enterprise program zone development plan, administering an enterprise zone program assistance fund, prequalifying applications from businesses to become eligible to receive certain tax benefits, and preparing annual reports; specifying criteria for the designation of enterprise program zones by the Urban Investment Job Creation Authority upon the expiration of the enterprise zone program; specifying procedures for businesses enterprise program

zone development corporations, and the authority to follow to certify a business as qualified businesses that are eligible to receive certain tax benefits; authorizing the authority to adopt rules; authorizing a qualified business to receive tax credits against sales and corporate income taxes and a subsidy for the cost of unemployment compensation insurance; authorizing the Department of Revenue to adopt rules relating to the tax credits; requiring enterprise program zone development corporations to create an enterprise program zone assistance fund using the proceeds of certain incremental sales tax revenues in excess of the sales and tax revenue generated within the zone during a specified fiscal year; requiring the payment of those tax revenues from the Department of Revenue, counties, and municipalities to enterprise program zone development corporations; authorizing those funds to be used upon approval by the authority for urban improvement projects; requiring the authority to account for the funds; requiring the Office of Program Policy Analysis and Government Accountability to evaluate the effectiveness of enterprise program zones and issue a report of its findings and recommendations before the expiration of the act; providing for future expiration of the act; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Community Affairs; and Budget.

By Senator Hays—

**SB 622**—A bill to be entitled An act relating to secondhand dealers and secondary metals recyclers; amending ss. 538.03 and 538.18, F.S.; defining the term “appropriate law enforcement official”; amending s. 538.04, F.S.; clarifying a provision requiring that the secondhand dealers transaction form be delivered to the appropriate law enforcement official; amending s. 538.19, F.S.; requiring that a secondary metals recycler complete a transaction form and transmit it to the appropriate law enforcement official within 24 hours after the acquisition of regulated metals; authorizing such recyclers to use an electronic database and transmit transaction forms electronically; providing for appropriate law enforcement officials to provide software and computer equipment to recyclers; requiring that a recycler produce an original form in certain situations; amending s. 539.001, F.S.; clarifying a definition for purposes of the Florida Pawnbroking Act; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Criminal Justice; and Budget.

**SB 624**—Withdrawn prior to introduction.

By Senators Thrasher, Lynn, and Dean—

**SB 626**—A bill to be entitled An act relating to Shands Teaching Hospital and Clinics, Inc.; amending s. 1004.41, F.S.; clarifying provisions relating to references to the corporation known as Shands Teaching Hospital and Clinics, Inc.; clarifying provisions regarding the purpose of the corporation; authorizing the corporation to create corporate subsidiaries and affiliates; providing that Shands Teaching Hospital and Clinics, Inc., Shands Jacksonville Medical Center, Inc., Shands Jacksonville Healthcare, Inc., and any not-for-profit subsidiary of such entities are instrumentalities of the state for purposes of sovereign immunity; providing an effective date.

—was referred to the Committees on Health Regulation; Higher Education; and Budget.

**SB 628**—Withdrawn prior to introduction.

By Senator Bennett—

**SB 630**—A bill to be entitled An act relating to the use of public moneys and property; defining the terms “governmental entity,” “professional sports team,” and “public funds”; prohibiting the use of public funds for certain purposes benefiting a professional sports team; providing exceptions; amending s. 196.199, F.S.; providing for the ad valorem taxation of property owned by a governmental entity if the property is used by a private entity for a nonexempt purpose; providing effective dates.

—was referred to the Committees on Commerce and Tourism; Community Affairs; and Budget.

By Senator Oelrich—

**SB 632**—A bill to be entitled An act relating to postsecondary education; amending s. 215.211, F.S.; prohibiting the deduction of a service charge from the proceeds of certain local option fuel taxes; requiring a percentage of certain local option fuel tax revenues to be deposited in the University Concurrency Trust Fund and providing uses therefor; amending s. 1013.30, F.S.; revising provisions relating to payment and funding of developments in accordance with university campus development agreements; amending s. 1013.63, F.S.; revising the funding and use of the University Concurrency Trust Fund; amending ss. 267.062, 1004.23, 1010.04, and 1013.171, F.S.; providing for the adoption of regulations rather than rules by the Board of Governors, universities, and university boards of trustees; repealing s. 1007.27(10), F.S., relating to the exemption for a student who earns certain credits through acceleration mechanisms from any requirement of a public postsecondary educational institution mandating enrollment during a summer term; providing an effective date.

—was referred to the Committees on Higher Education; and Budget.

By Senator Simmons—

**SB 634**—A bill to be entitled An act relating to prohibited activities of Citizens Property Insurance Corporation; repealing s. 215.55951, F.S., relating to an obsolete prohibition against Citizens Property Insurance Corporation's use of certain amendments or transfers of funds for rate or assessment increase purposes; providing an effective date.

—was referred to the Committees on Banking and Insurance; Community Affairs; and Budget.

By Senator Simmons—

**SB 636**—A bill to be entitled An act relating to the repeal of obsolete insurance provisions; amending s. 215.5595, F.S.; deleting an obsolete requirement for the State Board of Administration to transfer to the Citizens Property Insurance Corporation certain funds of the Insurance Capital Build-Up Incentive Program; amending s. 627.311, F.S.; deleting an obsolete presuit notice requirement for the Florida Automobile Joint Underwriting Association; amending s. 627.706, F.S.; deleting an obsolete form filing deadline for sinkhole coverage; amending s. 627.7065, F.S.; deleting an obsolete reporting requirement for activities relating to the sinkhole database; repealing s. 627.7077, F.S., relating to a feasibility and cost-benefit study of a Florida Sinkhole Insurance Facility and other matters related to affordability and availability of sinkhole insurance; amending s. 627.712, F.S.; deleting an obsolete effective date for the exclusion of windstorm and contents coverage; providing an effective date.

—was referred to the Committees on Banking and Insurance; Governmental Oversight and Accountability; and Budget.

By Senator Simmons—

**SB 638**—A bill to be entitled An act relating to a residential property structural soundness evaluation grant program; amending s. 627.0629, F.S.; deleting an obsolete Citizens Property Insurance Corporation residential property structural soundness evaluation grant program; providing an effective date.

—was referred to the Committees on Banking and Insurance; Community Affairs; and Budget.

By Senator Bennett—

**SB 640**—A bill to be entitled An act relating to fire-fighting equipment; exempting such equipment from certain motor vehicle size and weight restrictions; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; and Budget.

By Senator Bullard—

**SB 642**—A bill to be entitled An act relating to public school education; requiring the Florida Comprehensive Assessment Test (FCAT) in reading for grade 3 students to be administered as a diagnostic tool; providing that performance on grade 3 FCAT Reading must not be the sole determining factor for retention of grade 3 students; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

By Senator Rich—

**SB 644**—A bill to be entitled An act relating to the use of cellular telephones; prohibiting the use of a cellular telephone while operating a motor vehicle except when using a headset or hands-free device; providing exemptions; providing a penalty; providing for enforcement only as a secondary offense; providing an effective date.

—was referred to the Committees on Transportation; Communications, Energy, and Public Utilities; and Budget.

By Senator Detert—

**SB 646**—A bill to be entitled An act relating to mobile home parks; amending s. 723.071, F.S.; requiring a mobile home park owner who receives a bona fide offer for purchase of the park to provide certain notice to the homeowners' association; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and Rules.

By Senator Joyner—

**SB 648**—A bill to be entitled An act relating to estates; amending s. 732.102, F.S.; revising provisions relating to the intestate share of a surviving spouse; creating s. 732.615, F.S.; providing a right to reform the terms of a will to correct mistakes; creating s. 732.616, F.S.; providing a right to modify the terms of a will to achieve tax objectives; creating s. 733.1061, F.S.; providing for a court to award fees and costs in reformation and modification proceedings either against a party's share in the estate or in the form of a personal judgment against a party individually; amending s. 732.5165, F.S.; clarifying that a revocation of a will is subject to challenge on the grounds of fraud, duress, mistake, or undue influence; amending s. 732.518, F.S.; specifying that a challenge to the revocation of a will may not be commenced before the testator's death; amending s. 736.0207, F.S.; clarifying when a challenge to the revocation of a revocable trust may be brought; amending s. 736.0406, F.S.; providing that the creation of a trust amendment or trust restatement and the revocation of a trust are subject to challenge on the grounds of fraud, duress, mistake, or undue influence; amending s. 744.441, F.S.; limiting the circumstances under which a guardian of an incapacitated person may bring a challenge to a settlor's revocation of a revocable trust; amending s. 736.0201, F.S.; clarifying that certain payments by a trustee from trust assets are not taxation of attorney's fees and costs subject to a specified Rule of Civil Procedure; providing effective dates.

—was referred to the Committees on Judiciary; Banking and Insurance; and Rules.

By Senator Jones—

**SB 650**—A bill to be entitled An act relating to mobile home park lot tenancies; creating s. 723.024, F.S.; providing for local enforcement of violations of provisions establishing the obligations of mobile home park owners and mobile home owners; prohibiting liens, penalties, fines, or other administrative or civil proceedings against one party or that party's property for a duty or responsibility of the other party; amending s.

723.061, F.S.; revising provisions relating to grounds and proceedings for eviction; revising procedures for mobile home owners being provided eviction notice due to a change in use of the land comprising the mobile home park or the portion thereof from which mobile homes are to be evicted; providing requirements of the park owner and requirements and rights of an applicable homeowners' association with respect to the sale of the mobile home park under a change in use eviction; deleting a provision relating to governmental action affecting the removal of mobile home owners; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and Rules.

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By Senator Simmons—

**SB 652**—A bill to be entitled An act relating to the liability of spaceflight entities; amending s. 331.501, F.S.; saving a provision from future repeal which provides spaceflight entities with immunity from liability for the loss, damage, or death of a participant resulting from the inherent risks of spaceflight activities; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Judiciary; and Rules.

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By Senator Oelrich—

**SB 654**—A bill to be entitled An act relating to student fees; amending ss. 1009.22 and 1009.23, F.S.; authorizing community college boards of trustees to establish a transportation access fee for students enrolled in workforce education programs and community colleges; requiring that revenue from the fee be used only to provide or improve access to transportation services; limiting the amount of the fee; providing a timeframe for a fee increase and implementation of an increase; requiring that a referendum be held by the student government every 5 years to approve the continued application of the fee; prohibiting the inclusion of the fee in calculating the amount a student receives under Florida Bright Futures Scholarship Program awards; providing an effective date.

—was referred to the Committees on Higher Education; Transportation; and Budget.

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By Senator Rich—

**SB 656**—A bill to be entitled An act relating to the Florida Kidcare program; amending s. 409.8132, F.S.; providing that certain children under the age of 1 may participate in the Medikids program; conforming cross-references; amending s. 409.814, F.S.; requiring that children who are eligible for Kidcare be offered the opportunity to be made presumptively eligible; providing that children who are eligible for a state-sponsored health benefit plan and the subsidized Kidcare program may enroll in the program; providing that an eligible child who is a lawful immigrant may enroll in the Florida Kidcare program regardless of the child's date of entry; conforming provisions to changes made by the act; amending s. 409.815, F.S.; authorizing Kidcare coverage for temporomandibular joint disease; amending s. 409.816, F.S.; conforming a cross-reference; amending s. 409.818, F.S.; conforming provisions to changes made by the act; allowing a redetermination of a child's eligibility for Medicaid to be linked to a child's eligibility for other programs; amending s. 409.904, F.S.; providing that Medicaid-eligible children are deemed eligible for 12 months of coverage regardless of any change in circumstances; requiring that such children be offered the opportunity to be made presumptively eligible; providing that a pregnant woman in a family of certain income level is eligible for Medicaid for the duration of her pregnancy and for the postpartum period; amending s. 624.91, F.S., relating to the Florida Healthy Kids Corporation; conforming provisions to changes made by the act; deleting an obsolete provision; expanding the membership of the board of directors of the Florida Healthy Kids Corporation; directing the Agency for Health Care Administration to implement the federal Family Opportunity Act; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; and Budget.

By Senator Fasano—

**SJR 658**—A joint resolution proposing amendments to Sections 4 and 6 of Article VII and the creation of Sections 32 and 33 of Article XII of the State Constitution to prohibit increases in the assessed value of homestead property if the fair market value of the property decreases, reduce the limitation on annual assessment increases applicable to non-homestead real property, provide an additional homestead exemption for owners of homestead property who have not owned homestead property for a specified time before purchase of the current homestead property, and application and limitations with respect thereto, and provide effective dates.

—was referred to the Committees on Community Affairs; Judiciary; Budget; and Rules.

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**SR 660**—Not referenced.

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By Senator Jones—

**SB 662**—A bill to be entitled An act relating to public accountancy; creating s. 473.3066, F.S.; authorizing the Board of Accountancy to establish a peer review oversight committee; providing for membership and duties of the oversight committee; requiring the board to adopt rules under certain circumstances; amending s. 473.311, F.S.; revising licensure renewal requirements for firms engaged in certain aspects of the practice of public accounting; requiring such firms to comply with certain peer review requirements; providing an exception; creating s. 473.3125, F.S.; defining terms for purposes of peer review requirements; requiring firms engaged in certain aspects of the practice of public accounting to enroll in peer review programs and undergo peer reviews; providing for the frequency of peer reviews; providing exceptions; requiring firms that fail a specified number of peer reviews to submit certain documentation to the board; requiring the board to establish minimum standards for peer review programs; providing for the approval of peer review administering organizations; requiring peer review administering organizations to submit certain information to the board; authorizing the board to withdraw approval of peer review administering organizations under certain circumstances; requiring the board to adopt rules; limiting the liability of certain persons relating to the performance of certain services and duties of peer review administering organizations; providing that the proceedings, records, and workpapers of peer review administering organizations are confidential and privileged; providing exceptions; prohibiting persons involved in peer reviews from testifying; amending s. 473.323, F.S.; providing additional grounds for the discipline of firms engaged in certain aspects of the practice of public accounting, to which penalties apply; revising requirements for reissuance of licenses after compliance with disciplinary final orders; conforming provisions; providing an effective date.

—was referred to the Committees on Regulated Industries; Judiciary; and Budget.

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By Senator Benacquisto—

**SB 664**—A bill to be entitled An act relating to missing person investigations; amending s. 937.0201, F.S.; defining terms; amending s. 937.021, F.S.; providing that certain specified persons are immune from civil liability for damages for complying with the request to release Silver Alert information to appropriate agencies; providing a presumption that a person recording, reporting, transmitting, displaying, or releasing such information acted in good faith; amending s. 937.022, F.S., relating to the Missing Endangered Persons Information Clearinghouse; authorizing only the law enforcement agency having jurisdiction over a case to submit a Silver Alert report to the clearinghouse involving a missing adult who is suspected by a law enforcement agency of meeting the criteria for activation of the Silver Alert Plan; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Ring—

**SB 666**—A bill to be entitled An act relating to governmental reorganization; transferring and reassigning certain functions and responsibilities, including records, personnel, property, and unexpended balances of appropriations and other resources, from the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation to the Department of Gaming Control; transferring certain trust funds from the Department of Business and Professional Regulation to the Department of Gaming Control; amending s. 11.905, F.S.; providing for the review of the Department of Gaming Control; amending s. 20.165, F.S.; deleting the Division of Pari-mutuel Wagering within the Department of Business and Professional Regulation; creating s. 20.318, F.S.; establishing the Department of Gaming Control; designating the Governor and Cabinet as the Gaming Commission and head of the department; defining terms; specifying powers and duties of the department; requiring the department to issue advisory opinions under certain circumstances; authorizing the department to employ law enforcement officers; requiring the department to assist the Department of Revenue for the benefit of financially dependent children; amending s. 120.80, F.S.; deleting certain exceptions and special requirements regarding hearings applicable to the Department of Business and Professional Regulation; creating certain exceptions and special requirements regarding hearings within the Department of Gaming Control; amending s. 285.710, F.S.; providing that the Commission on Gaming is the state compliance agency for purposes of the Indian Gaming Compact; amending s. 455.116, F.S.; removing a trust fund from the Department of Business and Professional Regulation; amending ss. 550.002, 550.0115, 550.01215, 550.0235, 550.0251, 550.0351, 550.054, 550.0555, 550.0651, 550.0745, 550.0951, 550.09511, 550.09512, 550.09514, 550.09515, 550.105, 550.1155, 550.125, 550.135, 550.155, 550.1648, 550.175, 550.1815, 550.24055, 550.2415, 550.2614, 550.26165, 550.2625, 550.26352, 550.2704, 550.334, 550.3345, 550.3355, 550.3551, 550.3615, 550.375, 550.495, 550.505, 550.5251, 550.625, 550.6305, 550.6308, 550.70, 550.902, and 550.907, F.S.; conforming provisions to the transfer of the regulation of pari-mutuel wagering from the Department of Business and Professional Regulation to the Department of Gaming Control; deleting obsolete provisions; conforming cross-references; amending ss. 551.102, 551.103, 551.104, 551.1045, 551.105, 551.106, 551.107, 551.108, 551.109, 551.112, 551.114, 551.117, 551.118, 551.121, 551.122, and 551.123, F.S.; conforming provisions to the transfer of the regulation of slot machines from the Department of Business and Professional Regulation to the Department of Gaming Control; deleting obsolete provisions; conforming cross-references; amending s. 565.02, F.S.; providing for the licensure of caterers at a horse or dog racetrack or jai alai fronton by the Department of Gaming Control; amending s. 616.09, F.S.; providing for the Department of Gaming Control, rather than the Department of Legal Affairs, to prosecute a fair association for illegal gambling activities; amending s. 616.241, F.S.; adding the Department of Gaming Control to the list of entities authorized to enforce the prohibitions against having certain games at interstate fairs and specialized shows; amending s. 817.37, F.S.; providing for the enforcement of prohibitions against touting by the Department of Gaming Control; amending s. 849.086, F.S.; providing for the regulation of cardrooms by the Department of Gaming Control; amending s. 849.094, F.S.; providing for the regulation of game promotions by the Department of Gaming Control, rather than the Department of Agriculture and Consumer Services; deleting the limit on the number of authorized game promotions; increasing the criminal penalties for violations of laws regulating game promotions; deleting a reference to the Department of Business and Professional Regulation to conform to changes made by the act; amending s. 849.161, F.S.; authorizing games or machines at an arcade amusement center to use other currency in addition to coins; specifying that authorized prizes for playing a game may include Florida Lottery products; correcting cross-references to Federal law; defining terms; providing for the regulation of skill-based games by the Department of Gaming Control; requiring the department to adopt rules relating to licenses, testing of machines, revenues from machines, recordkeeping by a licensee, and security of facilities; authorizing the department and local law enforcement agencies to investigate criminal violations of law relating to the regulation of skill-based games; providing that the department and local law enforcement agencies have unrestricted access to a licensee's facility; providing that the act does not expand or authorize new forms of gaming; requiring a skill-based machine operator to apply to the department for a license; requiring the department to provide a report to the Legislature recommending the optimum licensing fee for a skill-based machine operator; specifying a

tax applicable to gross receipts of a skill-based machine operator; providing for the deposit of taxes and penalties into the Florida Gaming Trust Fund; imposing a monetary penalty on a skill-based machine operator that fails to make required tax payments; providing a contingent effective date.

—was referred to the Committees on Regulated Industries; Governmental Oversight and Accountability; and Budget.

By Senator Ring—

**SB 668**—A bill to be entitled An act relating to trust funds; creating the Florida Gaming Trust Fund within the Department of Gaming Control; providing the funding sources and purpose of the trust fund; requiring funds to remain in the trust fund at the end of each fiscal year; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committees on Regulated Industries; Governmental Oversight and Accountability; and Budget.

By Senator Joyner—

**SB 670**—A bill to be entitled An act relating to powers of attorney; providing directives to the Division of Statutory Revision; creating s. 709.2101, F.S.; providing a short title; creating s. 709.2102, F.S.; providing definitions; creating s. 709.2103, F.S.; providing applicability; providing exceptions; creating s. 709.2104, F.S.; providing for a durable power of attorney; creating s. 709.2105, F.S.; specifying the qualifications for an agent; providing requirements for the execution of a power of attorney; creating s. 709.2106, F.S.; providing for the validity of powers of attorney created by a certain date or in another jurisdiction; providing for the validity of a military power of attorney; providing for the validity of a photocopy or electronic copy of a power of attorney; creating s. 709.2107, F.S.; providing for the meaning and effectiveness of a power of attorney; creating s. 709.2108, F.S.; specifying when a power of attorney is effective; providing limitations with respect to a future power of attorney; creating s. 709.2109, F.S.; providing for the termination or suspension of a power of attorney or an agent's authority; creating s. 709.2110, F.S.; providing for the revocation of a power of attorney; creating s. 709.2111, F.S.; providing for the designation of co-agents and successor agents; specifying the responsibility of a successor agent for a predecessor agent; authorizing a co-agent to delegate certain banking transaction to a co-agent; creating s. 709.2112, F.S.; providing for the reimbursement and compensation of agents; creating s. 709.2113, F.S.; providing for the agent's acceptance of appointment; creating s. 709.2114, F.S.; providing for an agent's duties; limiting an agent's liability, absent a breach of duty; requiring that an agent make certain disclosures upon order of a court, upon the death of the principal, or under certain other circumstances; creating s. 709.2115, F.S.; providing for the exoneration of an agent; providing exceptions; creating s. 709.2116, F.S.; providing for judicial relief; authorizing the award of attorney's fees and costs; providing for a judicial challenge to an agent's exercise of power based on a conflict of interest; specifying the burden of proof required to overcome that challenge; creating s. 709.2117, F.S.; providing for an agent's liability; creating s. 709.2118, F.S.; providing for an agent's resignation; creating s. 709.2119, F.S.; providing for the acceptance of and reliance upon a power of attorney; authorizing a third party to require an affidavit; providing for the validity of acts taken on behalf of a principal who is reported as missing by a branch of the United States Armed Forces; providing a restriction on the conveyance of homestead property held by such a principal; creating s. 709.2120, F.S.; providing for liability if a third person refuses to accept a power of attorney under certain circumstances; providing for an award of damages and attorney's fees and costs; creating s. 709.2121, F.S.; requiring that notice of certain events be provided to an agent or other third person; specifying the form of the notice and when it is effective; creating s. 709.2201, F.S.; providing for the authority of an agent; providing limitations; providing that an agent's authority extends to property later acquired by the principal; creating s. 709.2202, F.S.; specifying that certain authority requires separate signed enumeration; restricting the amount of certain gifts made by an agent; specifying certain acts that do not require specific authority if the agent is authorized to conduct banking transactions; limiting the application of such provision; creating s. 709.2208, F.S.; providing for authority to conduct banking and security transactions; creating s. 709.2301, F.S.; specifying the role of common

law; creating s. 709.2302, F.S.; providing for the preemption of laws relating to financial institutions; creating s. 709.2303, F.S.; providing for the recognition of other remedies; creating s. 709.2401, F.S.; specifying the relationship of the act to federal law regulating electronic signatures; creating s. 709.2402, F.S.; providing for powers of attorney executed before the effective date of the act; amending s. 736.0602, F.S.; conforming a cross-reference; repealing s. 709.01, F.S., relating to the authority of an agent when the principal is dead; repealing s. 709.015, F.S., relating to the authority of an agent when the principal is missing; repealing s. 709.08, F.S., relating to durable powers of attorney; repealing s. 709.11, F.S., relating to a deployment-contingent power of attorney; providing an effective date.

—was referred to the Committees on Judiciary; Banking and Insurance; and Rules.

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By Senators Garcia, Gaetz, and Negron—

**SB 672**—A bill to be entitled An act relating to uniform traffic control; repealing s. 316.003(87), F.S., relating to the definition of the term “traffic infraction detector”; repealing s. 316.0076, F.S., relating to the regulation of the use of cameras to enforce traffic laws being expressly preempted to the state; repealing s. 316.008(8), F.S., relating to the authority of a county or municipality to use a traffic infraction detector to enforce certain designated traffic laws; repealing s. 316.0083, F.S., relating to the Mark Wandall Traffic Safety Program, a program to install and operate a system of traffic infraction detectors at red light intersections; repealing s. 316.00831, F.S., relating to the distribution of penalties collected pursuant to the Mark Wandall Traffic Safety Program; repealing s. 316.07456, F.S., relating to the transitional implementation of traffic infraction detectors on highways and roads of this state; repealing s. 316.0776, F.S., relating to the placement and installation of a traffic infraction detector by the Department of Highway Safety and Motor Vehicles, a county, or a municipality; amending s. 316.640, F.S.; removing the provisions that authorize the department, sheriff’s department, or police department to designate employees as traffic infraction enforcement officers; removing the provisions relating to the training and duties of traffic infraction enforcement officers; amending s. 316.650, F.S.; removing the provisions relating to the operation of the traffic infraction detection system; amending s. 318.14, F.S.; conforming provision to changes made by the act; amending s. 318.18, F.S.; removing the provisions for the distribution of penalties involving red light intersections; repealing s. 321.50, F.S., relating to the authorization of the Department of Highway Safety and Motor Vehicles to use traffic infraction detectors to enforce designated laws; amending s. 322.27, F.S.; revising the point system used by the department for traffic violations; repealing ss. 15 and 16 of chapter 2010-80, Laws of Florida, relating to the collection and remittal of penalties and an appropriation; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; and Budget.

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By Senator Rich—

**SB 674**—A bill to be entitled An act relating to the Florida Center for Nursing; amending s. 464.0195, F.S.; imposing a fee upon each nurse at initial licensure and licensure renewal to fund the Florida Center for Nursing; providing for transfer and use of the collected fees; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

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By Senator Rich—

**SB 676**—A bill to be entitled An act relating to animal control or cruelty ordinances; amending s. 828.27, F.S.; requiring a county or municipality enacting an ordinance relating to animal control or cruelty to impose a specified surcharge on the civil penalty for violations of the ordinance; specifying use of the proceeds of the surcharge; prohibiting the governing body of a county or municipality from charging owners of animals more than a certain amount for the spaying or neutering of their animals in specified circumstances; authorizing the animal control authority to allocate certain excess funds to the program to spay and neuter cats and dogs; providing construction; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; and Budget.

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By Senator Richter—

**SB 678**—A bill to be entitled An act relating to local long-term care ombudsman councils; repealing s. 400.0074, F.S., relating to requirement that local ombudsman councils conduct onsite administrative assessments; amending s. 400.0067, F.S.; conforming a cross-reference; amending s. 400.0069, F.S.; removing a provision relating to onsite administrative assessments by local ombudsman council members, to conform; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Budget.

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By Senator Richter—

**SB 680**—A bill to be entitled An act relating to nursing home quality and licensure status; amending s. 400.235, F.S.; deleting a criteria for recognition as a Gold Seal Program facility; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Budget.

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By Senator Richter—

**SB 682**—A bill to be entitled An act relating to the State Long-Term Care Ombudsman Program; repealing s. 400.0089, F.S., relating to data reports regarding complaints about and conditions in long-term care facilities; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Budget.

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By Senator Richter—

**SB 684**—A bill to be entitled An act relating to automated external defibrillators; repealing s. 1, ch. 2010-200, Laws of Florida, relating to future requirements for the use of automated external defibrillators in assisted living facilities, including a provision directing the Department of Elderly Affairs to adopt implementing rules; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Budget.

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By Senator Richter—

**SB 686**—A bill to be entitled An act relating to assisted living facilities; amending s. 429.14, F.S.; removing a provision that authorizes the Agency for Health Care Administration to deny a license to an applicant or controlling interest of an assisted living facility when the applicant or controlling interest has a financial or ownership interest in another licensed facility upon which specified sanctions have been imposed within a certain period of time; removing a provision that requires the agency to provide certain information relating to assisted living facility license status to the Division of Hotels and Restaurants of the Department of Business and Professional Regulation; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Budget.

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By Senator Richter—

**SB 688**—A bill to be entitled An act relating to assisted living facilities; repealing s. 429.54, F.S.; repealing a provision authorizing the Department of Elderly Affairs to collect information regarding the cost of providing certain services in facilities and to conduct field visits and audits; repealing a provision authorizing a local subsidy; providing an effective date.



—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Community Affairs.

By Senator Richter—

**SB 690**—A bill to be entitled An act relating to assisted living facilities; amending s. 429.41, F.S.; removing an obsolete provision requiring the Department of Elderly Affairs to submit to the Legislature for review and comment a copy of proposed department rules establishing standards for resident care; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Rules.

By Senator Richter—

**SB 692**—A bill to be entitled An act relating to assisted living facilities; amending s. 429.35, F.S.; removing an obsolete reporting requirement; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Rules.

By Senator Richter—

**SB 694**—A bill to be entitled An act relating to assisted living facilities; amending s. 429.23, F.S.; removing reporting requirements for assisted living facilities relating to liability claims; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Banking and Insurance.

By Senator Richter—

**SB 696**—A bill to be entitled An act relating to assisted living facilities; amending s. 429.19, F.S.; removing a requirement that the Agency for Health Care Administration disseminate annually a printed list of assisted living facilities sanctioned or fined to specified agencies and departments; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Rules.

By Senator Richter—

**SB 698**—A bill to be entitled An act relating to assisted living facilities; amending s. 429.178, F.S.; removing a provision that exempts an assisted living facility that provides special care for persons with Alzheimer's disease or other related disorders from the requirement to pay for certain training and education programs; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Budget.

By Senator Siplin—

**SB 700**—A bill to be entitled An act relating to education; authorizing district school boards to adopt resolutions that allow prayers of invocation or benediction at secondary school events; providing legislative intent; providing for severability; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Judiciary; and Rules.

By Senator Flores—

**SB 702**—A bill to be entitled An act relating to umbilical cord blood banking; requiring the Department of Health to post on its website certain resources and a website link to specified materials regarding umbilical cord blood banking; requiring the department to encourage certain health care providers to make available to their pregnant pa-

tients information related to umbilical cord blood banking; providing that a health care provider or health care facility and its employees or agents are not liable for damages in a civil action, subject to prosecution in a criminal proceeding, or subject to disciplinary action by the appropriate regulatory board for acting in good faith to comply with the act; providing an effective date.

—was referred to the Committees on Health Regulation; Judiciary; and Budget.

By Senators Sachs and Gaetz—

**SB 704**—A bill to be entitled An act relating to special observances; creating s. 683.146, F.S.; designating August 7 of each year as “Purple Heart Day”; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Governmental Oversight and Accountability; and Rules.

By Senator Sobel—

**SJR 706**—A joint resolution proposing an amendment to Section 4 of Article VI of the State Constitution to disqualify a person who is convicted of a felony from voting only while the person is incarcerated.

—was referred to the Committees on Rules Subcommittee on Ethics and Elections; Rules; Criminal Justice; and Budget.

By Senator Thrasher—

**SB 708**—A bill to be entitled An act relating to the lawyer-client privilege; creating s. 90.5021, F.S.; providing that a client acts as a fiduciary when serving as a personal representative, a trustee, an administrator ad litem, a curator, a guardian or guardian ad litem, a conservator, or an attorney in fact; providing that a communication between a lawyer and a client acting as a fiduciary is privileged and protected from disclosure to the same extent as if the client were not acting as a fiduciary; providing that the act does not affect the crime or fraud exception to the lawyer-client privilege; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; and Rules.

By Senator Siplin—

**SB 710**—A bill to be entitled An act relating to conditions of probation; amending s. 948.032, F.S.; requiring a defendant's probation officer to evaluate certain specified factors before alleging to the court that the defendant has violated his or her probation because the defendant failed to pay court-ordered restitution; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

By Senator Margolis—

**SB 712**—A bill to be entitled An act relating to condominiums; amending s. 718.303, F.S.; specifying common elements for which right of use may be suspended by a condominium association if a unit owner is delinquent in paying a monetary obligation; providing an effective date.

—was referred to the Committees on Regulated Industries; Judiciary; and Community Affairs.

By Senator Margolis—

**SB 714**—A bill to be entitled An act relating to disabled parking permits; amending s. 318.18, F.S.; providing for a parking enforcement specialist or agency to validate compliance for the disposition of a citation issued for illegally parking in a space provided for people who have disabilities; amending s. 320.0848, F.S.; revising requirements for renewal or replacement of a disabled parking permit; prohibiting applying for a new disabled parking permit for a certain period of time upon a

second finding of guilt or plea of nolo contendere to unlawful use of such permit; requiring the Department of Highway Safety and Motor Vehicles to audit disabled parking permit holders, verify certain information, and invalidate the permit of a deceased permitholder; directing the department to implement a means for reporting abuse of disabled parking permits; providing for the department to conduct a public awareness campaign; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; and Budget.

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By Senator Fasano—

**SB 716**—A bill to be entitled An act relating to corporate license plates; creating s. 320.08052, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to create a corporate license plate program and enter into certain agreements with certain entities; requiring that corporate license plates meet specified criteria and that certain aspects of such license plates be approved by the department; authorizing owners of specified vehicles to apply for such license plates; requiring that specified minimum fees be paid by applicants and corporate sponsors for such applications; requiring that the department, upon approval of an application, issue the appropriate corporate plate to the vehicle owner, along with a registration and decal valid for a specified period; providing for the distribution of fees collected; authorizing corporate sponsors to participate in the program by submitting a specified minimum initial application fee; requiring that a corporate sponsor meet specified eligibility requirements; requiring that the department adopt rules; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

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By Senator Ring—

**SB 718**—A bill to be entitled An act relating to sexual exploitation; providing a short title; amending s. 39.001, F.S.; providing legislative intent and goals; conforming cross-references; amending s. 39.01, F.S.; revising the definitions of the terms “abuse,” “child who is found to be dependent,” and “sexual abuse of a child”; amending s. 39.401, F.S.; requiring delivery of children alleged to be dependent and sexually exploited to short-term safe houses; amending s. 39.402, F.S.; providing for a presumption that placement of a child alleged to have been sexually exploited in a short-term safe house is necessary; providing requirements for findings in a shelter hearing relating to placement of an allegedly sexually exploited child in a short-term safe house; amending s. 39.521, F.S.; providing for a presumption that placement of a child alleged to have been sexually exploited in a safe house is necessary; creating s. 39.524, F.S.; requiring assessment of certain children for placement in a safe house; providing for use of such assessments; providing requirements for safe houses receiving such children; requiring an annual report concerning safe-house placements; amending s. 322.28, F.S.; conforming a cross-reference; creating s. 409.1678, F.S.; providing legislative intent relating to safe houses; providing definitions; requiring districts of the Department of Children and Family Services to address child welfare service needs of sexually exploited children as a component of their master plans; providing for operation of safe houses; providing duties, responsibilities, and requirements for safe houses and their operators; providing for training for law enforcement officials who are likely to encounter sexually exploited children; amending s. 796.07, F.S.; revising prohibitions on prostitution and related acts; providing a civil penalty for use or threatened use of a deadly weapon during the commission of specified offenses; providing for an increased civil penalty and disposition of proceeds; conforming a cross-reference; amending s. 960.065, F.S.; allowing victim compensation for sexually exploited children; amending s. 985.115, F.S.; conforming a provision to changes made by the act; amending ss. 985.145 and 985.15, F.S.; providing a presumption against filing a delinquency petition for certain prostitution-related offenses in certain circumstances; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; and Budget.

By Senator Gaetz—

**SB 720**—A bill to be entitled An act relating to cancer research and control; amending s. 20.435, F.S.; changing the carryforward period of certain funds of the Biomedical Research Trust Fund; amending s. 215.5602, F.S.; modifying the terms and membership and establishing a staggered membership for appointed members of the Biomedical Research Advisory Council; authorizing the council to recommend a portion of the allocation for the James and Esther King Biomedical Research Program for specified purposes and to develop a grant application and review mechanism; prohibiting any member of the council from participating in council or peer-review panel discussions or decisions regarding certain proposals; authorizing the Department of Health to accept and use gifts for awards under the program; amending s. 381.922, F.S.; revising the purpose of the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program; revising the types of applications considered for funding; authorizing the Biomedical Research Advisory Council to recommend a portion of the allocation for the program for specified purposes and to develop a grant application and review mechanism; prohibiting any member of the council from participating in council or panel discussions or decisions regarding certain proposals; requiring the department to submit to the Governor and Legislature a report by a specified date; authorizing the Department of Health to accept and use gifts for awards under the program; creating s. 381.923, F.S.; creating the Florida Comprehensive Cancer Control Act; providing legislative intent; providing definitions; creating the Florida Cancer Control and Resource Advisory Council; providing membership of the council; providing the composition of the executive committee of the council; providing for terms of the council and meetings; providing for reimbursement for per diem and travel expenses; prohibiting a member of the council from participating in any discussion or decision to recommend any type of award or contract to any qualified nonprofit association or to any agency of this state or a political subdivision of the state with which the member is associated as an employee or as a member of the governing body or with which the member has entered into a contractual arrangement; providing the duties and responsibilities of the council; requiring the council to report findings and recommendations to the Governor, the Legislature, and the State Surgeon General; requiring the council to develop or purchase written summaries regarding medically viable treatment alternatives for the management of breast cancer and prostate cancer; providing requirements for the written summaries; requiring the council to develop and implement education programs regarding early detection and treatment of breast cancer and prostate cancer; requiring that the H. Lee Moffitt Cancer Center and Research Institute, Inc., provide an executive director for the council; authorizing the Department of Health to adopt rules to administer s. 381.923, F.S.; requiring the department to produce the Florida Cancer Plan in consultation with the council; creating the Cancer Control Collaborative Program within the Department of Health; providing the responsibility and mission of the program; requiring the department to appoint a director; providing duties for each regional cancer control collaborative; requiring the collaborative program to submit to the council an annual report by a specified date; requiring the program to serve as the infrastructure for expansion or adaption as federal programs or other opportunities arise for future cancer control initiatives; amending ss. 458.324 and 459.0125, F.S.; conforming cross-references; repealing s. 1004.435, F.S., relating to cancer control and research; providing an effective date.

—was referred to the Committees on Health Regulation; Higher Education; and Budget.

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By Senators Norman and Rich—

**SB 722**—A bill to be entitled An act relating to damage by dogs; amending s. 767.11, F.S.; redefining the term “dangerous dog” to exclude dogs trained or used for dog fighting from the term; providing an effective date.

—was referred to the Committees on Agriculture; Community Affairs; and Rules.

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By Senator Bullard—

**SB 724**—A bill to be entitled An act relating to cellular telephone use; creating s. 316.305, F.S.; prohibiting the use of a cellular telephone while

operating a motor vehicle in a school zone; providing an enhanced penalty; providing an effective date.

—was referred to the Committees on Transportation; Communications, Energy, and Public Utilities; and Budget.

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By Senator Bullard—

**SB 726**—A bill to be entitled An act relating to state symbols; creating s. 15.0465, F.S.; designating the schooner Western Union as the official state flagship; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Environmental Preservation and Conservation; and Rules.

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By Senator Detert—

**SB 728**—A bill to be entitled An act relating to unemployment compensation; amending s. 213.053, F.S.; increasing the number of employer payroll service providers who qualify for access to unemployment tax information by filing a memorandum of understanding; amending s. 443.031, F.S.; revising provisions relating to statutory construction; defining the term “through no fault of his or her own”; amending s. 443.036, F.S.; revising definitions; providing that the term “misconduct” includes reasonable standards expected of employees; amending s. 443.091, F.S.; requiring that an applicant for benefits complete an initial skills review; providing exceptions; specifying criteria for determining an applicant’s availability for work; amending s. 443.101, F.S.; clarifying “good cause” for voluntarily leaving employment; specifying acts that are “gross misconduct” for purposes of discharging an employee and disqualifying him or her for benefits; revising the criteria for determining “suitable work”; disqualifying a person for benefits due to the receipt of severance pay; revising provisions relating to the effect of criminal acts on eligibility for benefits; amending s. 443.1115, F.S.; conforming cross-references; reviving, readopting, and amending s. 443.1117, F.S., relating to temporary extended benefits; providing for retroactive application; providing for applicability relating to extended benefits for certain weeks and for periods of high unemployment; providing for applicability; amending s. 443.1216, F.S.; providing that employee leasing companies may make a one-time election to report leased employees under the respective unemployment account of each leasing company client; providing procedures and application for such election; amending s. 443.131, F.S.; increasing the employer’s standard rate of contributions; providing for retroactive application; amending s. 443.141, F.S.; providing an employer payment schedule for 2012, 2013, and 2014 contributions; requiring an employer to pay a fee for paying contributions on a quarterly schedule; providing penalties, interest, and fees on delinquent contributions; amending s. 443.151, F.S.; authorizing new claims to be submitted by telephone, mail, or electronic means, and continuing claims to be submitted by mail or electronic means; revising the judicial venue for reviewing commission orders; providing for repayment of benefits in cases of agency error; providing that the act fulfills an important state interest; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Judiciary; and Budget.

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By Senators Flores, Altman, and Sobel—

**SB 730**—A bill to be entitled An act relating to youth and student athletes; amending s. 943.0438, F.S.; requiring independent sanctioning authorities to adopt policies to inform youth athletes and their parents of the nature and risk of certain head injuries; requiring that a signed consent form be obtained before the youth participates in athletic practices or competitions; requiring that a youth athlete be immediately removed from an athletic activity following a suspected head injury; requiring written clearance from a medical professional before the youth resumes athletic activities; amending s. 1006.20, F.S.; requiring the Florida High School Athletic Association to adopt policies to inform student athletes and their parents of the nature and risk of certain head injuries; requiring that a signed consent form be obtained before a student athlete participates in athletic practices or competitions; requiring that a student athlete be immediately removed from an athletic activity following a suspected head injury; requiring written clearance from a

medical professional before the student resumes athletic activities; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Health Regulation; and Rules.

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**SB 732**—Withdrawn prior to introduction.

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By Senator Wise—

**SB 734**—A bill to be entitled An act relating to assault or battery on utility workers; amending s. 784.07, F.S.; defining the term “utility worker”; providing for reclassification of certain offenses against utility workers; reenacting and amending s. 921.0022(3)(d), (f), and (g), F.S., relating to the offense severity ranking chart of the Criminal Punishment Code, to incorporate the amendments made to s. 784.07, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Criminal Justice; and Budget.

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By Senator Wise—

**SB 736**—A bill to be entitled An act relating to education personnel; providing a short title; amending s. 1012.34, F.S.; revising provisions related to the evaluation of instructional personnel and school administrators; requiring that the Department of Education approve school district evaluation systems; requiring the Department of Education to collect evaluation information from school districts and to report such information to the Governor and Legislature; providing requirements for the evaluation systems; requiring that the State Board of Education adopt a formula for school districts to use in measuring growth in learning by students; conforming provisions to changes made by the act; amending s. 1008.22, F.S.; revising provisions requiring school districts to develop and implement end-of-course assessments; amending s. 1012.22, F.S.; revising the powers and duties of the district school board with respect to school district compensation and salary schedules; requiring that certain performance criteria be included in the adopted schedules; revising the differentiated pay provisions; creating s. 1012.335, F.S.; providing definitions; revising the contract requirements for instructional personnel hired on or after a certain date; requiring that the State Board of Education adopt rules defining the term “just cause”; providing guidelines for such term; amending s. 1002.33, F.S.; requiring charter schools to adopt a salary schedule for instructional personnel and school administrators which meets certain requirements; requiring charter schools to comply with requirements relating to personnel evaluation procedures and criteria and certain contracts; amending s. 1003.621, F.S.; providing additional requirements for personnel in academically high-performing school districts; amending s. 1012.07, F.S.; revising the methodology for determining critical teacher shortage areas; amending s. 1012.2315, F.S.; providing additional reporting requirements concerning instructional personnel and school administrator assignments; amending s. 1012.27, F.S.; revising the criteria for transfer requests by teachers; conforming provisions to changes made by the act; amending s. 1012.28, F.S.; authorizing a principal to refuse to accept the placement or transfer of instructional personnel under certain circumstances; amending s. 1012.33, F.S.; revising provisions relating to contracts with certain education personnel; requiring that a district school board’s decision to retain personnel be primarily based on the employee’s performance; repealing s. 1012.52, F.S., relating to legislative intent for teacher quality; amending s. 1012.795, F.S.; conforming provisions to changes made by the act; authorizing school districts to seek an exemption from the State Board of Education from the requirement of certain laws; authorizing the State Board of Education to adopt rules; providing for the repeal of certain special acts or general laws of local application related to instructional personnel in public schools or school districts; providing an exception; providing for severability; providing for application of a specified provision of the act; providing effective dates.

—was referred to the Committees on Education Pre-K - 12; Budget; and Rules.

By Senator Sobel—

**SB 738**—A bill to be entitled An act relating to rental property foreclosure; creating s. 45.036, F.S.; providing applicability; providing a definition; subjecting the interest taken in foreclosure by a successor in interest to specified limitations and requirements; requiring notice to certain tenants regarding foreclosure; providing an exception; providing legislative intent; providing an effective date.

—was referred to the Committees on Judiciary; Regulated Industries; and Banking and Insurance.

By Senator Negron—

**SB 740**—A bill to be entitled An act relating to motor vehicle licenses; amending s. 320.6992, F.S.; revising application of provisions relating to franchise agreements; providing an effective date.

—was referred to the Committees on Transportation; Banking and Insurance; and Budget.

By Senator Sobel—

**SB 742**—A bill to be entitled An act relating to surgical first assistants; providing definitions; providing requirements for the performance of supervising physicians; providing the duties and scope and location of practice for certified surgical first assistants; providing contracting and employment guidelines for physicians, hospitals, clinics, or ambulatory surgical centers employing certified surgical first assistants; providing licensure criteria for certified surgical first assistants; providing for application fees and licensure renewal fees; providing for licensure renewal; providing continuing education requirements; authorizing the Board of Medicine to impose penalties; providing the scope of a certified surgical first assistant's license; providing for reciprocity of licenses among states; providing for inactive and delinquent status; providing that an unlicensed person who holds himself or herself out as, or indicates or implies that he or she is, licensed commits a third-degree felony and is subject to applicable penalties; providing for denial, suspension, or revocation of licensure; authorizing the board to adopt rules; providing that supervising physicians may be liable for certain acts or omissions of certified surgical first assistants; providing guidelines for the use of fees collected by the board; amending s. 627.419, F.S.; providing for payments to a physician assistant under contracts providing for payment for surgical first assisting benefits or services; including certified surgical first assistants, as defined, within certain benefits or services payment provisions; limiting such application; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; Criminal Justice; and Budget.

By Senators Negron and Flores—

**SB 744**—A bill to be entitled An act relating to recreational fishing licenses; providing that such licenses are not required for residents or nonresidents to fish in the waters of this state; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and Budget.

By Senator Altman—

**SB 746**—A bill to be entitled An act relating to open house parties; amending s. 856.015, F.S.; providing that a person who violates the open house party statute a second or subsequent time commits a misdemeanor of the first degree; providing that a person commits a misdemeanor of the first degree if the violation of the open house party statute causes or contributes to causing serious bodily injury or death; providing criminal penalties; providing an effective date.

—was referred to the Committees on Regulated Industries; Criminal Justice; and Budget.

By Senator Ring—

**SB 748**—A bill to be entitled An act relating to youth athletic coaches; amending s. 943.0438, F.S.; requiring certain sanctioning bodies to disqualify a person from acting as a coach for the remainder of the season if that person is removed from a game by an official; providing for an appeal; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; and Judiciary.

By Senator Hays—

**SB 750**—A bill to be entitled An act relating to health benefit plans; creating s. 627.66991, F.S.; providing definitions; requiring certain health benefit plans to authorize licensed pharmacists and permitted pharmacies to serve as participating pharmacy services providers for any of the plan's participants under certain circumstances; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; and Budget.

**Senate Bills 752-756**—Not referenced.

By Senator Sobel—

**SB 758**—A bill to be entitled An act relating to driver improvement schools and education programs for driver's license applicants; amending ss. 318.1451 and 322.095, F.S.; requiring the curricula of such programs to include instruction on the risks associated with using a handheld electronic communication device while operating a motor vehicle; providing an effective date.

—was referred to the Committees on Transportation; Education Pre-K - 12; and Budget.

By Senator Sobel—

**SB 760**—A bill to be entitled An act relating to public food service establishments; creating s. 509.234, F.S.; requiring public food service establishments to serve sugar-free substitutes for certain syrups and fruit preserves and provide notice to guests of the availability of such sugar-free substitutes; providing requirements for such notice; providing an effective date.

—was referred to the Committees on Regulated Industries; Health Regulation; and Budget.

By Senator Hays—

**SB 762**—A bill to be entitled An act relating to the Florida Climate Protection Act; repealing s. 403.44, F.S., relating to a cap-and-trade regulatory program to reduce greenhouse gas emissions from electric utilities; amending s. 366.8255, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Environmental Preservation and Conservation; and Budget.

By Senator Sobel—

**SB 764**—A bill to be entitled An act relating to assault or battery; amending s. 784.081, F.S.; providing for reclassification of specified assault or battery offenses when committed against persons licensed, registered, certified, or regulated under provisions relating to psychological and clinical, counseling, and psychotherapy services; reenacting ss. 921.0022(3)(f) and 1006.13(5), F.S., relating to the offense severity ranking chart of the Criminal Punishment Code and a policy of zero tolerance for crime and victimization, to incorporate the amendment made to 784.081, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Regulated Industries; and Budget.

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By Senator Fasano—

**SB 766**—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; expanding a public-records exemption for specified personal information of the spouses and children of active and former law enforcement and investigatory personnel; expanding a public-records exemption for specified personal information of firefighters and for their spouses and children; providing for future legislative review and repeal of the exemptions under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Criminal Justice; and Rules.

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By Senator Ring—

**SB 768**—A bill to be entitled An act relating to seaports; amending s. 311.07, F.S.; increasing the amount of funds the Department of Transportation is required to make available for the Florida Seaport Transportation and Economic Development Program; requiring the Florida Seaport Transportation and Economic Development Council and the Assistant Secretary of Intermodal Systems Development of the Department of Transportation to identify certain state funds for the purpose of funding the program; amending s. 311.09, F.S.; increasing the amount of funding the department is required to include in its annual legislative budget request for the Florida Seaport Transportation and Economic Development grant program; requiring the council and the assistant secretary to identify certain state funds for the purpose of funding the program; creating s. 311.23, F.S.; establishing the Florida seaport infrastructure bank within the Florida Seaport Transportation and Economic Development Program to provide loans and credit enhancements to certain deepwater seaports and private entities for specified projects; amending s. 320.20, F.S.; revising provisions for the repayment of bonds relating to the Florida Seaport Transportation and Economic Development Program; providing for certain revenue bonds and other indebtedness relating to the program to be issued by the Florida Ports Financing Commission; amending s. 373.406, F.S.; exempting overwater piers, docks, and structures located in deepwater ports from stormwater management system requirements under specified conditions; amending s. 373.4133, F.S.; requiring the Department of Environmental Protection to issue a notice of intent for a port conceptual permit within a specified time; providing that a notice of intent to issue such permit creates a rebuttable presumption of compliance with specified standards and authorization; providing a standard for overcoming such a presumption; requiring the department to issue certain permits within a specified time and to notify specified entities of certain compliance; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Transportation; and Budget.

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By Senator Siplin—

**SB 770**—A bill to be entitled An act relating to unclaimed deposits held by utilities; amending s. 717.108, F.S.; requiring that any unclaimed deposits held by a utility be deposited into the Energy Affordability Trust Fund within the Department of Community Affairs for the purpose of supplementing the Low Income Home Energy Assistance Program; providing a contingent effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Environmental Preservation and Conservation; and Budget.

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By Senator Siplin—

**SB 772**—A bill to be entitled An act relating to trust funds; creating the Energy Affordability Trust Fund within the Department of Community Affairs; providing the purpose of the trust fund and the source of

funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Environmental Preservation and Conservation; and Budget.

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By Senator Ring—

**SB 774**—A bill to be entitled An act relating to economic development; creating the Commercialization Credit Transfer Program; providing legislative findings that it is in the state's interest to promote the commercialization of products and services developed by technology companies; amending s. 213.053, F.S.; authorizing the Department of Revenue to share certain confidential information with the Office of Tourism, Trade, and Economic Development; amending s. 220.02, F.S.; adding the certified credits available under s. 220.194, F.S., to the list of credits that may be taken against state corporate income tax; amending s. 220.13, F.S.; redefining the term "adjusted federal income" in relation to net operating losses transferred and payments received for a certified credit pursuant to the Commercialization Credit Transfer Program; amending s. 220.16, F.S.; providing for the allocation of financial assistance pursuant to the Commercialization Credit Transfer Program as income in this state; creating s. 220.194, F.S.; creating the Commercialization Credit Transfer Program; providing a purpose, intent, goals, and objectives; providing definitions; requiring the office to certify eligible companies for the transfer of corporate income tax net operating loss amounts as certified credits; providing qualifications and an application process and requirements; requiring an application fee; providing for an application deadline; requiring the office to grant or deny an application within a specified time after receiving a completed application; providing for calculating the certified credit amount; providing a maximum amount that may be transferred; providing a penalty; requiring each certified company to file an annual report with the office; requiring the office to create an annual report; requiring the office to adopt rules; authorizing the Department of Revenue to adopt rules; providing appropriations; providing for future repeal of the Commercialization Credit Transfer Program; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Banking and Insurance; and Budget.

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By Senators Diaz de la Portilla and Bogdanoff—

**SB 776**—A bill to be entitled An act relating to public school class size maximums; amending s. 1003.03, F.S.; deleting provisions which impose financial penalties, and provide calculations therefor, on school districts that do not meet maximum class size requirements; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Budget; and Rules.

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By Senator Diaz de la Portilla—

**SB 778**—A bill to be entitled An act relating to district school board membership; creating s. 1001.3615, F.S.; requiring that district school boards consist of nine members in counties where the population exceeds a certain number; providing for single-member and at-large districts; providing for the election of a chair and vice chair of the school board; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Rules Subcommittee on Ethics and Elections; and Rules.

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By Senator Jones—

**SB 780**—A bill to be entitled An act relating to the payment of bar dues; amending s. 216.345, F.S.; providing legislative findings; authorizing the payment of dues to The Florida Bar for certain attorneys employed by the state; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Budget.

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By Senator Latvala—

**SB 782**—A bill to be entitled An act relating to road and bridge designations; designating the Sgt. Thomas J. Baitinger and Officer Jeffrey A. Yaslowitz Memorial Highway in Pinellas County; providing an effective date.

—was referred to the Committees on Transportation; Budget; and Rules.

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By Senator Smith—

**SB 784**—A bill to be entitled An act relating to the termination of rental agreements; amending s. 83.49, F.S.; requiring the landlord or mortgagor or its agent to tender to the registry of the court or to the foreclosing entity all funds held for advance rent or security deposits at the time of foreclosure; directing that such funds continue to be held for the use and benefit of the tenants of the foreclosed property; providing that a landlord or mortgagor or its agent commits a theft if the landlord or mortgagor or its agent do not comply with certain specified provisions of law; providing for penalties; creating s. 83.683, F.S.; providing that a purchaser of residential property in foreclosure may terminate a tenant's residential rental agreement under certain circumstances; providing an exception for an immediate purchaser intending to sell the property to a buyer who intends to occupy it as his or her primary residence; setting forth the content to be included in the termination notice to be given to the tenant; providing certain exceptions to application of the act; requiring the immediate purchaser named in the certificate of title to credit the tenant's account for any deposit money paid by the tenant and for any advance rent for the unexpired rental period; providing for future expiration; providing an effective date.

—was referred to the Committees on Judiciary; Banking and Insurance; and Rules.

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By Senator Diaz de la Portilla—

**SB 786**—A bill to be entitled An act relating to landlord and tenant; amending s. 83.42, F.S.; providing an exclusion from application for a person not legally entitled to occupy the premises; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; and Rules.

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By Senator Diaz de la Portilla—

**SB 788**—A bill to be entitled An act relating to public school educational instruction; amending s. 1003.44, F.S.; requiring district school boards to designate one month of the school year to celebrate the Founding Fathers of the United States of America and the principles inherent in the country's founding documents; specifying the focus of instruction during the designated month; providing that instruction may be integrated into the existing school curriculum; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

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By Senator Altman—

**SB 790**—A bill to be entitled An act relating to tax credits; amending s. 220.02, F.S.; revising the priority of tax credits that may be taken against the corporate income tax or the franchise tax; amending s. 220.13, F.S.; redefining the term "adjusted federal income" to include the amount of certain tax credits; creating s. 220.1811, F.S.; authorizing aerospace-sector jobs tax credits and tuition reimbursement tax credits; defining terms; authorizing a tax credit to aerospace businesses based on the salary or tuition reimbursed to certain employees; specifying the maximum annual amount of tax credits for an aerospace business; lim-

iting the annual amount of tax credits available; prohibiting a business from claiming an aerospace-sector jobs tax credit and a tuition reimbursement tax credit for the same employee; providing for the Department of Revenue to approve applications for tax credits; prohibiting increases in the amount of unused tax credits carried over in amended tax returns; providing fines and criminal penalties for certain unlawful claims of tax credits; authorizing the Department of Revenue to adopt rules; providing for the expiration of the tax credit program; providing for applicability; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Budget.

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By Senator Diaz de la Portilla—

**SB 792**—A bill to be entitled An act relating to driving without a valid driver's license; amending s. 318.18, F.S.; providing an additional fine for a violation of specified provisions relating to driving with a canceled, suspended, or revoked driver's license or driving privilege; providing increased fine amounts for second or subsequent violations; amending s. 318.21, F.S.; providing for distribution of such fines collected; amending s. 322.34, F.S.; revising penalties for knowingly driving while the driver's license or driving privilege is canceled, suspended, or revoked; revising procedures for impoundment or immobilization of the vehicle; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

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By Senator Diaz de la Portilla—

**SB 794**—A bill to be entitled An act relating to drug abuse prevention and control; amending s. 893.13, F.S.; adding transactions of a controlled substance near a homeless shelter to the list of prohibited acts; providing an effective date.

—was referred to the Committees on Criminal Justice; Children, Families, and Elder Affairs; and Budget.

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By Senator Diaz de la Portilla—

**SB 796**—A bill to be entitled An act relating to domestic wastewater discharged through ocean outfalls; amending s. 403.086, F.S.; postponing the dates by which domestic wastewater facilities must meet more stringent treatment and management requirements; providing exceptions and alternatives; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Budget.

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By Senator Altman—

**SB 798**—A bill to be entitled An act relating to streamlining the issuance of licenses, certifications, and registrations issued by state agencies; providing a short title; providing legislative findings and intent; requiring the Governor to establish the One-Stop Business Workgroup; providing for the membership of the workgroup; authorizing the workgroup to consult with other agencies and use consultants; providing duties of the workgroup; requiring that the workgroup submit a plan for establishing a business licensing portal to the Governor and Legislature by a specified date; providing requirements for the plan to implement a technology solution that provides businesses and individuals with easy access to state and local requirements for business licenses, certifications, and registrations; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Governmental Oversight and Accountability; and Budget.

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By Senator Diaz de la Portilla—

**SB 800**—A bill to be entitled An act relating to education and training opportunities for public employees; amending s. 110.1099, F.S.; providing certain educational opportunities for specified local government employees; amending s. 1009.265, F.S.; authorizing the use of fee

wavers for specified local government employees; providing an effective date.

—was referred to the Committees on Community Affairs; Higher Education; and Budget.

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By Senator Sachs—

**SB 802**—A bill to be entitled An act relating to the breast cancer early detection and treatment referral program; amending s. 381.932, F.S.; revising certain criteria of the program by requiring that the public education and outreach initiative and professional education programs use guidelines currently employed by the United States Centers for Disease Control and Prevention rather than the United States Preventive Services Task Force; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

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By Senator Fasano—

**SJR 804**—A joint resolution proposing the creation of Section 14 of Article IV and Section 32 of Article XII of the State Constitution, providing for an elected, five-member Public Service Commission within the executive branch and prohibiting candidates for election to the commission from accepting contributions from employees, lobbyists, officers, directors, or agents of any utility or entity regulated by the commission, affiliates of regulated utilities or entities, business entities, law firms, and trade associations under certain circumstances.

—was referred to the Committees on Communications, Energy, and Public Utilities; Judiciary; Rules Subcommittee on Ethics and Elections; Rules; and Budget.

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By Senator Diaz de la Portilla—

**SB 806**—A bill to be entitled An act relating to the Public Service Commission; creating s. 350.129, F.S.; requiring approval by the Legislature of any vote taken by the commission which approves an increase in rates charged to customers for electric, natural gas, telecommunications, water, or wastewater service before the vote of the commission takes effect; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Commerce and Tourism; Governmental Oversight and Accountability; Budget; and Rules.

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By Senator Diaz de la Portilla—

**SJR 808**—A joint resolution proposing amendments to Sections 2 and 6 of Article VII of the State Constitution to authorize counties to exempt the homesteads of eligible senior citizens from increases in ad valorem taxation.

—was referred to the Committees on Community Affairs; Judiciary; and Budget.

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By Senators Fasano and Latvala—

**SB 810**—A bill to be entitled An act relating to pain-management clinics; providing definitions; providing specific standards of practice in pain-management clinics with regard to evaluations of a patient's medical diagnosis, treatment plans, informed consent, agreements for treatment, a physician's periodic review of a patient, consultation, patient drug testing, patient medical records, denial or termination of controlled-substance therapy, facility and physical operations, infection control, health and safety, quality assurance, and data collection and reporting; amending ss. 458.3265 and 459.0137, F.S.; providing that the designated physician at a pain-management clinic is responsible for ensuring that the clinic is registered with the Department of Health; requiring a pain-management clinic to notify the department of the identity of a newly designated physician when the former designated physician is terminated or when there are any changes to the registration information; providing requirements for the registration of a pain-

management clinic; holding nationally recognized accrediting agencies to the same board-determined practice standards for registering pain-management clinics; requiring the department to conduct unannounced annual inspections of clinics; requiring the designated physician to cooperate with the department's inspector and make medical records available to the inspector; requiring the department's inspector to determine compliance with specific standards of practice in pain-management clinics; providing a procedure for when a pain-management clinic is noncompliant with specific standards of practice; requiring the inspector to forward the written results of the inspection, deficiency notice, and any subsequent documentation to the department; requiring the department to review the results and determine whether action against the clinic is merited; providing that the department's authority is not limited with regard to investigating a complaint without prior notice; requiring the designated physician to submit written notification of the current accreditation survey of the pain-management clinic under certain circumstances; requiring the designated physician to notify the Board of Medicine or Board of Osteopathic Medicine of a plan of correction if the pain-management clinic receives a provisional or conditional accreditation; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

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By Senator Diaz de la Portilla—

**SB 812**—A bill to be entitled An act relating to Internet poker; creating the "Internet Poker Consumer Protection and Revenue Generation Act"; providing for intrastate Internet poker to be provided to the public by cardroom operators through a state Internet poker network operated by licensed Internet poker hub operators; creating s. 849.087, F.S.; providing legislative intent; providing definitions; authorizing participation in and operation of intrastate Internet poker; providing for the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation to administer the act and regulate the operation of a state Internet poker network, Internet poker hub operators, cardroom affiliates, and the playing of intrastate Internet poker; authorizing the division to adopt rules, conduct investigations and monitor operations, review books and accounts and records, suspend or revoke any license or permit for a violation, take testimony, issue summons and subpoenas, monitor and ensure the proper collection of taxes and fees, and monitor and ensure that the playing of Internet poker is conducted fairly and that player information is protected by Internet poker hub operators; requiring Internet poker hub operators to be licensed; providing qualifications and conditions for licensure; providing application requirements; providing for an advance payment to be credited toward taxes; providing initial and renewal license fees; providing for selection of Internet poker hub operators through competitive procurement process; requiring payment of certain costs and refund of amounts collected in excess of the cost; requiring a surety bond; providing for a contract between the state and the poker hub operator; requiring the division to annually determine the need for additional operators; providing for a cardroom affiliate license to be issued to a cardroom operator to provide intrastate Internet poker for play; providing for applications for the affiliate license and renewal thereof; providing conditions for licensure and renewal of licensure as an affiliate; requiring reporting to and approval by the division of a change of ownership of the affiliate licensee; prohibiting certain acts by an affiliate; providing a fee; providing for employee and business occupational licenses; requiring certain employees of and certain companies doing business with a cardroom affiliate or an Internet poker hub operator to hold an appropriate occupational license; prohibiting such operator or affiliate from employing or allowing to be employed such a person or doing business with such a company if that person or company does not hold an occupational license; directing the division to adopt rules regarding Internet poker hub operator, cardroom affiliate, and occupational licenses and renewal of such licenses; providing a fee for occupational license and renewal thereof; providing penalties for failure to pay the fee; exempting from licensure a person holding a valid individual cardroom occupational license; providing grounds for the division to deny an application for or revoke, suspend, or place conditions or restrictions on or refuse to renew such occupational license; requiring fingerprints; providing procedures for processing fingerprints and conducting a criminal history records check and for payment of costs; providing for citations and civil penalties; providing requirements to register and play intrastate Internet poker; providing for an Internet Poker Self-Exclusion Form; requiring the Internet poker hub

operator to exclude from play any person who has completed such form; providing for maintenance of the form and distribution to cardroom affiliates and the division; requiring the Internet poker hub operator to display a link to the website offering services related to the prevention of compulsive and addictive gambling; limiting liability; providing requirements for approval of games to be offered to players; providing requirements for all offered games and game results and games not completed; providing requirements to minimize fraud and cheating; prohibiting action for damages against the Internet poker hub operator to prevent fraud or cheating under certain circumstances; providing requirements for player eligibility and registration and player accounts; authorizing the Internet poker hub operator to suspend or revoke player accounts; providing requirements for poker hub operations; requiring the Internet poker hub operator to establish a book of accounts, regularly audit financial records, and make the records available to the division; providing technical system requirements; requiring the Internet poker hub operator to define, document, and implement certain methodologies relating to its systems; requiring the Internet poker hub operator to maintain such documentation for a certain period of time; providing for player participation fees; prohibiting certain relationships and acts by employees of the division and occupational license holders and certain relatives; authorizing conduct of proposed and authorized games; prohibiting a person who has not attained a certain age from holding an Internet poker occupational license or engaging in any game conducted; prohibiting offering Internet poker to persons located in the state except in compliance with law; providing that an entity that has accepted any wager on any online gambling activity from a Florida resident since a certain date is not eligible to apply for licensure and participate in intrastate Internet poker in Florida for a specified period of time; prohibiting false statements; prohibiting manipulation of Internet poker play and operations; providing civil and criminal penalties; providing for disposition of fines collected; providing for license fees to be paid by the Internet poker hub operator and cardroom affiliates; providing for disposition and accounting of fees collected; providing for an advance payment by the Internet poker hub operator to be credited toward taxes; providing for the tax rate and procedures for payment; requiring payments to be accompanied by a report showing all intrastate Internet poker activities for the preceding calendar month and containing such other information as prescribed by the division; providing penalties for failure to pay taxes and penalties; providing for use of certain deposits; providing for distribution of moneys received from Internet poker hub operations; providing grounds for the division to deny a license or the renewal thereof or suspend or revoke a license; providing penalties; authorizing the division to adopt rules; providing for administration of the act and regulation of the intrastate Internet poker industry; providing an effective date.

—was referred to the Committees on Regulated Industries; Criminal Justice; and Budget.

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By Senator Richter—

**SB 814**—A bill to be entitled An act relating to ad valorem tax exemptions for real property used for charitable purposes; amending s. 196.192, F.S.; providing partial ad valorem tax exemptions for non-exempt owners of real property leased or gratuitously provided to exempt entities for exclusive use for charitable purposes; amending s. 196.195, F.S.; authorizing nonexempt owners of real property to apply for ad valorem tax exemptions relating to real property leased or gratuitously provided for charitable purposes; providing eligibility criteria for partial ad valorem tax exemptions relating to real property leased or gratuitously provided for charitable purposes; amending s. 196.196, F.S.; providing an exception to the profitmaking prohibition applicable to claiming an ad valorem tax exemption relating to property used for charitable purposes; providing an effective date.

—was referred to the Committees on Community Affairs; and Budget.

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By Senator Flores—

**SB 816**—A bill to be entitled An act relating to enterprise program development zones; designating the act as the “Urban Job Creation Investment Act”; providing definitions; creating the Urban Investment Job Creation Authority; providing for the appointment of members to the authority; specifying the duties of the authority to include specifying enterprise program zone boundaries, reviewing applications from busi-

nesses to become eligible for certain tax benefits, reviewing proposed projects for eligibility to receive funding from a local enterprise program zone development corporation, and conducting studies and filing reports; requiring the Office of Tourism, Trade, and Economic Development to provide administrative support to the authority; providing for the creation of enterprise zone development corporations by counties and municipalities as nonprofit corporations; providing for the appointment of the board of directors of those corporations; specifying the duties of the corporations to include implementing an enterprise program zone development plan, administering an enterprise zone program assistance fund, prequalifying applications from businesses to become eligible to receive certain tax benefits, and preparing annual reports; specifying criteria for the designation of enterprise program zones by the Urban Investment Job Creation Authority upon the expiration of the enterprise zone program; specifying procedures for enterprise program zone development corporations and the authority to follow in certifying a business as a qualified business that is eligible to receive certain tax benefits; authorizing the authority to adopt rules; authorizing a qualified business to receive tax credits against sales and corporate income taxes and a subsidy for the cost of unemployment compensation insurance; authorizing the Department of Revenue to adopt rules relating to the tax credits; requiring enterprise program zone development corporations to create an enterprise program zone assistance fund using the proceeds of certain incremental sales tax revenues in excess of the sales and tax revenue generated within the zone during a specified fiscal year; requiring the payment of those tax revenues from the Department of Revenue, counties, and municipalities to enterprise program zone development corporations; authorizing those funds to be used upon approval by the authority for urban improvement projects; requiring the authority to account for the funds; requiring the Office of Program Policy Analysis and Government Accountability to evaluate the effectiveness of enterprise program zones and issue a report of its findings and recommendations before the expiration of the act; providing for future expiration of the act; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Community Affairs; and Budget.

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By Senator Fasano—

**SB 818**—A bill to be entitled An act relating to controlled substances; amending s. 400.9905, F.S.; redefining the terms “clinic” and “portable equipment provider” within the Health Care Clinic Act; amending s. 456.013, F.S.; authorizing certain health care practitioners to complete a continuing education course relating to the prescription drug monitoring program; providing requirements for the course; requiring the Department of Health or a board that is authorized to exercise regulatory or rulemaking functions within the department to approve the course offered through a facility licensed under ch. 395, F.S., under certain circumstances; providing application of the course requirements; requiring a board or the Department of Health to adopt rules; amending s. 458.305, F.S.; defining the term “dispensing physician” as it relates to the practice of medicine in this state; prohibiting certain persons from using titles or displaying signs that would lead the public to believe that they engage in the dispensing of controlled substances; prohibiting certain persons, firms, or corporations from using a trade name, sign, letter, or advertisement that implies that the persons, firms, or corporations are licensed or registered to dispense prescription drugs; prohibiting certain persons, firms, or corporations from holding themselves out to the public as licensed or registered to dispense controlled substances; prohibiting certain persons from performing the functions of a dispensing physician; providing penalties; amending s. 458.3191, F.S.; revising the information in the physician survey that is submitted by persons who apply for licensure renewal as a physician under ch. 458 or ch. 459, F.S.; amending s. 458.3192, F.S.; requiring the Department of Health to provide nonidentifying information to the prescription drug monitoring program’s Implementation and Oversight Task Force regarding the number of physicians that are registered with the prescription drug monitoring program and that use the database from the program in their practice; amending s. 458.3265, F.S.; requiring a physician who works in a pain-management clinic to document the reason a prescription for a certain dosage of a controlled substance is within the proper standard of care; creating a felony of the third-degree for a licensee or other person who serves as the designated physician of a pain-management clinic to register a pain-management clinic through misrepresentation or fraud; amending s. 458.327, F.S.; providing additional penalties; amending s.



458.331, F.S.; providing additional grounds for disciplinary action by the Board of Medicine; amending s. 459.003, F.S.; defining the term “dispensing physician” as it relates to the practice of osteopathic medicine in this state; amending s. 459.013, F.S.; providing additional penalties; amending s. 459.0137, F.S.; requiring an osteopathic physician who works in a pain-management clinic to document the reason a prescription for a certain dosage of a controlled substance is within the proper standard of care; creating a felony of the third-degree for a licensee or other person who serves as the designated physician of a pain-management clinic to register a pain-management clinic through misrepresentation or fraud; amending s. 459.015, F.S.; providing additional grounds for disciplinary action by the Board of Osteopathic Medicine; amending s. 465.015, F.S.; prohibiting certain persons from knowingly failing to report to the local county sheriff’s office and the Department of Law Enforcement the commission of a felony involving a person who acquires or obtains possession of a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge under certain conditions; providing penalties; providing requirements for reporting the commission of the felony that involves a person who acquires or obtains possession of a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge; amending s. 465.0276, F.S.; requiring a practitioner to register as a dispensing practitioner in order to dispense controlled substances; amending s. 766.101, F.S.; conforming a cross-reference; amending s. 810.02, F.S.; redefining the offense of burglary to include the theft of a controlled substance within a dwelling, structure, or conveyance; amending s. 812.014, F.S.; redefining the offense of theft to include the theft of a controlled substance; creating s. 893.021, F.S.; providing conditions in which a drug is considered adulterated; providing that a physician is not prevented from directing or prescribing a change to the recognized manufactured recommendations for use of any controlled substance in a patient under certain circumstances; requiring a prescribing physician to indicate any deviation of the recognized manufacturer’s recommended use of a controlled substance on the original prescription; requiring a pharmacist or physician to indicate such deviation on the label of the prescription upon dispensing; amending s. 893.04, F.S.; revising the required information that must appear on the face of a prescription or written record of a controlled substance before it is dispensed by a pharmacist; amending s. 893.055, F.S.; requiring that the prescription drug monitoring program comply with the minimum requirements of the National All Schedules Prescription Electronic Reporting Act; requiring the Department of Health to establish a method to allow corrections to the database of the prescription drug monitoring program; requiring the number of refills ordered and whether the drug was dispensed as a refill or a first-time request to be included in the database of the prescription drug monitoring program; revising the number of days in which a dispensed controlled substance must be reported to the department through the prescription drug monitoring program; revising the list of acts of dispensing or administering which are exempt from reporting; requiring a pharmacy, prescriber, practitioner, or dispenser to register with the department by submitting a registering document in order to have access to certain information in the prescription drug monitoring program’s database; requiring the department to approve the registering document before granting access to information in the prescription drug monitoring program’s database; requiring criminal background screening for those persons who have direct access to the prescription drug monitoring program’s database; authorizing the Attorney General to obtain confidential and exempt information for Medicaid fraud cases and Medicaid investigations; requiring certain documentation to be provided to the program manager in order to release confidential and exempt information from the prescription drug monitoring program’s database to a patient, legal guardian, or a designated health care surrogate; authorizing the Agency for Health Care Administration to obtain confidential and exempt information from the prescription drug monitoring program’s database for Medicaid fraud cases and Medicaid investigations involving controlled substances; deleting the provision that administrative costs of the prescription drug monitoring program are funded through federal grants and private sources; requiring the State Surgeon General to enter into reciprocal agreements for the sharing of information in the prescription drug monitoring program with other states that have a similar prescription drug monitoring program; requiring the State Surgeon General to annually review a reciprocal agreement to determine its compatibility; providing requirements for compatibility; prohibiting the sharing of certain information; amending s. 893.0551, F.S.; authorizing the Department of Health to disclose certain confidential and exempt information in the prescription drug monitoring program’s database under certain circumstances involving reciprocal agreements with other states;

prohibiting the sharing of information from the prescription drug monitoring program’s database which is not for the purpose that is statutorily authorized or according to the State Surgeon General’s determination of compatibility; amending s. 893.07, F.S.; requiring that a person report to the Department of Law Enforcement and the local sheriff’s office the theft or loss of a controlled substance within a specified time; providing penalties; providing legislative intent; amending s. 893.13, F.S.; prohibiting a person from obtaining or attempting to obtain from a practitioner a controlled substance or a prescription for a controlled substance by misrepresentation, fraud, forgery, deception, subterfuge, or concealment of a material fact; prohibiting a health care provider from providing a controlled substance or a prescription for a controlled substance by misrepresentation, fraud, forgery, deception, subterfuge, or concealment of a material fact; prohibiting a person from adulterating a controlled substance for certain use without authorization by a prescribing physician; authorizing a law enforcement officer to seize as evidence the adulteration or off-label use of a prescribed controlled substance; providing that such adulterated or off-label use of the controlled substance may be returned to its owner only under certain conditions; providing penalties; prohibiting a prescribing practitioner from writing a prescription for a controlled substance and authorizing or directing the adulteration of the dispensed form of the controlled substance for the purpose of ingestion by means that is not medically necessary; amending s. 893.138, F.S.; providing circumstances in which a pain-management clinic may be declared a public nuisance; providing an effective date.

—was referred to the Committees on Health Regulation; Criminal Justice; and Budget.

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**SR 820**—Not referenced.

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By Senator Bogdanoff—

**SB 822**—A bill to be entitled An act relating to expert testimony; amending s. 90.702, F.S.; providing that a witness qualified as an expert by knowledge, skill, experience, training, or education may testify in the form of an opinion as to the facts at issue in a case under certain circumstances; requiring the courts of this state to interpret and apply the principles of expert testimony in conformity with specified United States Supreme Court decisions; providing an effective date.

—was referred to the Committees on Judiciary; and Budget.

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By Senator Bogdanoff—

**SB 824**—A bill to be entitled An act relating to driving while the operator’s driver license is suspended or revoked; amending s. 322.34, F.S.; specifying exceptions to certain penalties for a person driving a motor vehicle while the person’s driver’s license is canceled, suspended, or revoked; removing provisions requiring a law enforcement officer to immediately impound or immobilize a motor vehicle under certain circumstances if the operator’s driver’s license or driving privilege is suspended or revoked; removing a requirement that the arresting agency or towing service in possession of the impounded or immobilized motor vehicle send notice to any coregistered owner of the motor vehicle and to each person of record claiming a lien against the motor vehicle; requiring that a motor vehicle be impounded or immobilized for specified periods depending on the seriousness of the violation committed; prohibiting the court from ordering that the impoundment or immobilization run concurrently with the defendant’s incarceration; requiring that all costs of impounding or immobilizing a motor vehicle be borne by the defendant; providing for a person who owns or coowns a motor vehicle when a violation of law was committed to petition the sentencing court for an order setting aside the impoundment or immobilization order; requiring that the court set aside or dismiss an impoundment or immobilization order under certain circumstances; amending s. 932.701, F.S., relating to the Florida Contraband Forfeiture Act; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Criminal Justice; Transportation; and Budget.

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By Senator Fasano—

**SB 826**—A bill to be entitled An act relating to resident status for tuition purposes; amending s. 1009.21, F.S.; providing that veterans of the Armed Services of the United States, including reserve components thereof, who attend a public college, university, or institution of higher learning are residents for tuition purposes; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Higher Education; and Budget.

By Senator Bogdanoff—

**SB 828**—A bill to be entitled An act relating to public records; amending s. 119.0713, F.S.; expanding an exemption from public-records requirements to include certain records relating to investigations in the custody of an inspector general of a local government; providing for future repeal and legislative review of such revisions to the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; and Governmental Oversight and Accountability.

By Senators Thrasher and Gaetz—

**SB 830**—A bill to be entitled An act relating to labor and employment; amending s. 110.114, F.S.; prohibiting a state agency from deducting from employee wages the dues, uniform assessments, fines, penalties, or special assessments of an employee organization or contributions made for purposes of political activity; amending s. 112.171, F.S.; prohibiting a county, municipality, or other local governmental entity from deducting from employee wages the dues, uniform assessments, fines, penalties, or special assessments of an employee organization or contributions made for purposes of political activity; creating s. 447.18, F.S.; requiring that a labor organization refund any dues, uniform assessments, fines, penalties, or special assessments paid by an employee which were used for political contributions or expenditures unless the employee has provided prior authorization; requiring that the labor organization provide notice of such contributions and expenditures; prohibiting a labor organization from requiring an employee to authorize the collection of funds for political contributions and expenditures as a condition of membership in the organization; amending s. 447.303, F.S.; prohibiting a public employer from deducting or collecting from employee wages the dues, uniform assessments, fines, penalties, or special assessments of an employee organization; amending s. 447.507, F.S., relating to violation of the strike prohibition; conforming provisions to changes made by the act; providing for severability; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Budget.

By Senator Fasano—

**SB 832**—A bill to be entitled An act relating to mobile home park lot tenancies; amending s. 723.006, F.S.; revising duties of the Division of Florida Condominiums, Timeshares, and Mobile Homes relating to proposed amendments to a prospectus or offering circular; amending s. 723.011, F.S.; revising park owner disclosure requirements for prospective lessees; amending s. 723.037, F.S.; clarifying what constitutes the market area or the competitive area for comparable mobile home parks; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and Budget.

By Senator Wise—

**SB 834**—A bill to be entitled An act relating to mentally deficient and mentally ill defendants; amending s. 916.106, F.S.; defining the term “traumatic brain injury”; revising the definition of the term “mental illness”; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Margolis—

**SB 836**—A bill to be entitled An act relating to education and training opportunities for public employees; amending s. 110.1099, F.S.; providing certain educational opportunities for specified local government employees; amending s. 1009.265, F.S.; authorizing the use of fee waivers for specified local government employees; providing an effective date.

—was referred to the Committees on Community Affairs; Higher Education; and Budget.

By Senator Wise—

**SB 838**—A bill to be entitled An act relating to electrical contracting; amending s. 489.537, F.S.; revising authority of municipalities and counties to require that certain electrical journeyman be present on certain industrial or commercial construction sites; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and Budget.

**SR 840**—Not referenced.

By Senator Latvala—

**SB 842**—A bill to be entitled An act relating to tax credits for the rehabilitation of contaminated sites; amending s. 220.1845, F.S.; increasing the annual amount of tax credits available for the rehabilitation of contaminated sites; amending s. 376.30781, F.S.; increasing the annual amount of tax credits available for the cleanup of sites contaminated with drycleaning solvents and the cleanup of certain brown-field sites; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and Budget.

By Senators Benacquisto and Richter—

**SB 844**—A bill to be entitled An act relating to violations of probation or community control; creating the “Officer Andrew Widman Act”; amending s. 948.06, F.S.; authorizing a circuit court judge, after making a certain finding, to issue a warrant for the arrest of a probationer or offender who has violated the terms of probation or community control; requiring that the court inform the probationer or offender of the violation, and may order the person taken before the court that granted the probation or community control; authorizing the court to commit or release the probationer or offender under certain circumstances; authorizing the court, in determining whether to require or set the amount of bail, to consider the likelihood that the person will be imprisoned for the violation of probation or community control; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senators Benacquisto and Gaetz—

**SB 846**—A bill to be entitled An act relating to sexual performance by a child; amending s. 827.071, F.S.; defining the term “intentionally view”; prohibiting controlling or intentionally viewing any photograph, motion picture, exhibition, show, representation of an image, data, computer depiction, or other presentation that includes sexual conduct by a child; providing penalties; amending s. 921.0022, F.S.; conforming provisions of the offense severity ranking chart of the Criminal Punishment Code to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

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By Senator Rich—

**SB 848**—A bill to be entitled An act relating to early voting; amending s. 101.657, F.S.; expanding the list of available sites at which early voting may be held to include specified facilities or any other location designated by a supervisor of elections as meeting the requirements of state law; deleting a requirement that an early voting site be designated and used as such for at least 1 year before an election; providing requirements for determining the number of early voting sites each county must operate; expanding early voting hours to 12 hours per weekday and 12 hours in the aggregate each weekend at each site during the applicable periods; providing an effective date.

—was referred to the Committees on Rules Subcommittee on Ethics and Elections; Rules; and Budget.

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By Senator Hays—

**SB 850**—A bill to be entitled An act relating to state forests; amending s. 589.19, F.S.; providing for Wounded Warrior special hunt areas for certain disabled veterans; providing for funding; providing eligibility requirements; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Environmental Preservation and Conservation; and Budget.

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By Senator Hays—

**SM 852**—A memorial to the Congress of the United States, urging Congress to support the marketing of Florida seafood.

—was referred to the Committees on Environmental Preservation and Conservation; Commerce and Tourism; and Agriculture.

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By Senator Negrón—

**SB 854**—A bill to be entitled An act relating to the production and shipment of wine; creating s. 561.222, F.S.; authorizing the direct shipment of wine into and within this state for personal consumption only; providing legislative intent; requiring licensure of winery shippers by the Division of Alcoholic Beverages and Tobacco; providing license requirements; requiring recipients of a direct shipment of wine to be at least 21 years of age; requiring proof of age of a recipient; providing for the payment of taxes, a monthly report, and recordkeeping by winery shippers; providing requirements for common carriers that make deliveries of wine; providing administrative and criminal penalties for violations of the act; authorizing the division and the Department of Revenue to adopt rules; amending ss. 561.24, 561.54, 561.545, and 564.045, F.S.; conforming provisions to changes made by the act; amending s. 599.004, F.S.; revising requirements for qualifying as a certified Florida Farm Winery; providing for severability; providing an effective date.

—was referred to the Committees on Regulated Industries; Commerce and Tourism; and Budget.

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By Senator Joyner—

**SB 856**—A bill to be entitled An act relating to judicial nominating commissions; amending s. 43.291, F.S.; providing for the Board of Governors of The Florida Bar rather than the Governor to appoint members of judicial nominating commissions; requiring that each judicial nominating commission satisfy certain prerequisites for racial and gender diversity; providing for the prerequisites to be satisfied over a period of time; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; and Budget.

By Senator Hays—

**SB 858**—A bill to be entitled An act relating to agriculture; amending s. 163.3162, F.S.; prohibiting a county from enforcing certain limits on the activity of a bona fide farm operation on agricultural land under certain circumstances; prohibiting a county from charging agricultural lands for stormwater management assessments and fees under certain circumstances; allowing an assessment to be collected if credits against the assessment are provided for implementation of best management practices; providing exemptions from certain restrictions on a county's powers over the activity on agricultural land; providing a definition; providing for application; creating s. 163.3163, F.S.; creating the "Agricultural Land Acknowledgement Act"; providing legislative findings and intent; providing definitions; requiring an applicant for certain development permits to sign and submit an acknowledgement of certain contiguous agricultural lands as a condition of the political subdivision issuing the permits; specifying information to be included in the acknowledgement; requiring that the acknowledgement be recorded in the official county records; authorizing the Department of Agriculture and Consumer Services to adopt rules; amending s. 205.064, F.S.; authorizing a person selling certain agricultural products who is not a natural person to qualify for an exemption from obtaining a local business tax receipt; amending s. 322.01, F.S.; revising the term "farm tractor" for purposes of driver's licenses; amending s. 604.15, F.S.; revising the term "agricultural products" to make tropical foliage exempt from regulation under provisions relating to dealers in agricultural products; amending s. 604.50, F.S.; exempting farm fences from the Florida Building Code; revising the term "nonresidential farm building"; exempting non-residential farm buildings and farm fences from county and municipal codes and fees; specifying that the exemptions do not apply to code provisions implementing certain floodplain regulations; amending s. 624.4095, F.S.; requiring that gross written premiums for certain crop insurance not be included when calculating the insurer's gross writing ratio; requiring that liabilities for ceded reinsurance premiums be netted against the asset for amounts recoverable from reinsurers; requiring that insurers who write other insurance products disclose a breakout of the gross written premiums for crop insurance; amending s. 823.145, F.S.; expanding the materials used in agricultural operations that may be disposed of by open burning; providing certain limitations on open burning; providing an effective date.

—was referred to the Committees on Agriculture; Community Affairs; Regulated Industries; and Budget.

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By Senator Joyner—

**SB 860**—A bill to be entitled An act relating to the presidential preference primary; amending s. 103.101, F.S.; revising dates relating to the presidential preference primary; providing an effective date.

—was referred to the Committees on Rules Subcommittee on Ethics and Elections; Rules; and Budget.

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By Senator Joyner—

**SB 862**—A bill to be entitled An act relating to the Office of Minority Health; creating s. 381.04016, F.S.; providing legislative intent; providing the duties of the Office of Minority Health; requiring the Office of Minority Health to submit an annual report to the Governor and Legislature; requiring consideration of minority health issues in state policy and planning; requiring the Department of Health, the Agency for Health Care Administration, the Department of Elderly Affairs, the Department of Corrections, and the Department of Juvenile Justice to take minority health issues into consideration in their annual planning; requiring that boards or advisory boards of the Department of Health, the Agency for Health Care Administration, or the Department of Elderly Affairs seek equal representation of certain members; providing for responsibility and coordination with the Executive Office of the Governor and other state agencies; providing an effective date.

—was referred to the Committees on Health Regulation; Children, Families, and Elder Affairs; and Budget.

By the Committee on Health Regulation—

**SB 864**—A bill to be entitled An act relating to certificates of need; amending s. 408.040, F.S.; extending until July 1, 2016, provisions authorizing the Agency for Health Care Administration to automatically grant a nursing home's request for a reduction in annual Medicaid patient days as a condition of its certificate of need in specified circumstances; amending s. 408.0435, F.S.; extending the moratorium on nursing home certificates of need until July 1, 2016; providing conditions to be met by nursing homes in order to qualify for an exemption to the moratorium on certificates of need for nursing home facilities; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Bogdanoff—

**SB 866**—A bill to be entitled An act relating to judgment interest; amending s. 55.03, F.S.; requiring quarterly adjustments to the rate of interest payable on judgments; revising the calculation of the interest rate; amending s. 717.1341, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Budget.

By Senator Sobel—

**SB 868**—A bill to be entitled An act relating to eye care professionals; amending s. 463.003, F.S.; revising membership requirements for the Board of Optometry; amending s. 463.009, F.S.; revising the duties of, and restrictions on the practice of optometry by, nonlicensed supportive personnel; amending s. 463.014, F.S.; prohibiting the board from adopting rules that prohibit certain acts in the practice of optometry; providing for application; amending s. 484.002, F.S.; revising definitions relating to the practice of opticianry; amending s. 484.007, F.S.; revising requirements for applicants seeking to take the optician licensure examination; amending s. 484.013, F.S.; revising grounds that constitute unlawful conduct by opticians; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Storms—

**SB 870**—A bill to be entitled An act relating to compensation of county officials; amending ss. 145.031, 145.051, 145.071, 145.09, 145.10, and 145.11, F.S.; authorizing each member of a board of county commissioners, each clerk of the circuit court, county comptroller, each sheriff, each supervisor of elections, each property appraiser, and each tax collector to reduce his or her salary on a voluntary basis; providing an effective date.

—was referred to the Committees on Community Affairs; and Budget.

By Senator Negrón—

**SB 872**—A bill to be entitled An act relating to enterprise zones; amending s. 290.0055, F.S.; authorizing certain governing bodies to apply to the Office of Tourism, Trade, and Economic Development to amend the boundary of an enterprise zone that includes a rural area of critical economic concern; providing a limitation; authorizing the office to approve the amendment application subject to certain requirements; requiring that the office establish the effective date of certain enterprise zones; creating s. 290.00726, F.S.; authorizing Martin County to apply to the Office of Tourism, Trade, and Economic Development for designation of an enterprise zone; providing application requirements; authorizing the office to designate an enterprise zone in Martin County; providing responsibilities of the office; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Community Affairs; and Budget.

By Senators Hays and Norman—

**SB 874**—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public-records requirements for information furnished by a person to an agency for the purpose of being provided with emergency notification by the agency; providing for retroactive effect of the exemption; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Budget.

By Senator Margolis—

**SB 876**—A bill to be entitled An act relating to vessel safety regulations; amending s. 327.50, F.S.; removing state requirements for certain children to wear a personal flotation device while on board certain vessels; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Transportation; and Children, Families, and Elder Affairs.

By Senator Garcia—

**SB 878**—A bill to be entitled An act relating to child welfare; providing a short title; creating s. 39.0142, F.S.; requiring photographs and reports of child visitations, subject to availability of equipment; providing for submission and distribution of reports and photographs; amending s. 39.5085, F.S.; providing that an unmarried biological father is not considered a relative for purposes of the Relative Caregiver Program; amending s. 39.521, F.S.; authorizing a court to direct the placement of a parent in a substance abuse facility in which his or her child may also reside; revising provisions concerning the effect of an unfavorable home study on the placement of a child in a home under shelter or postdisposition placement; amending s. 39.621, F.S.; requiring a permanency hearing to be timed so that a child will achieve permanency within 12 months; revising the order of preference of permanency goals; creating s. 39.6215, F.S.; requiring certain reports by counties on the numbers of children entering care and achieving permanency; providing financial consequences for failure of children to achieve permanency within a specified period; amending s. 39.801, F.S.; limiting the period for diligent search and inquiry to find a living relative of the child in certain circumstances; amending s. 39.803, F.S.; limiting the period required to conduct a diligent search for an unmarried biological father in certain circumstances; amending s. 39.0136, F.S.; revising provisions relating to continuances; amending s. 39.809, F.S.; requiring an adjudicatory hearing to be scheduled consistent with a specified time period for final orders; limiting continuances unless required by specified provisions; requiring entry of a final order within a specified period; creating s. 39.8056, F.S.; requiring that a child remain with foster parents until disposition of a petition to terminate parental rights in certain circumstances; amending s. 39.812, F.S.; providing that a child placed with a licensed foster parent or court-ordered custodian who has applied to adopt the child may not be removed from that home except in specified circumstances; limiting visitation of such children; amending s. 39.816, F.S.; revising provisions relating to development of best practice guidelines; providing for extensions before a petition for termination of parental rights may be filed if a parent is incarcerated but does not meet specified criteria or is physically incapacitated; revising provisions relating to demonstration projects; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Budget.

By Senator Garcia—

**SB 880**—A bill to be entitled An act relating to value adjustment boards; requiring a petitioner challenging ad valorem taxes before the value adjustment board to pay a specified percentage of the taxes by a certain date; requiring the board to deny the petition if the required amount of taxes is not timely paid; amending s. 197.162, F.S.; deleting a provision providing for a discount for ad valorem taxes paid within 30

days after the mailing of a tax notice resulting from the action of the value adjustment board; providing an effective date.

—was referred to the Committees on Community Affairs; and Budget.

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By Senator Detert—

**SB 882**—A bill to be entitled An act relating to water management districts; amending s. 373.0693, F.S.; revising provisions relating to the membership of basin boards; specifying the terms of service for basin board members designated by district governing board chairs; providing that basin board members designated by district governing board chairs are voting members and counted for quorum purposes; providing for designated district governing board members to serve as basin board chairs and co-chairs; providing that a quorum of remaining members may conduct business if there is a vacancy on the board; revising provisions relating to the membership of the Manasota Basin Board; providing for the designation of a member of the district governing board to serve on the basin board; amending s. 373.171, F.S.; exempting cooperative funding programs from certain rulemaking requirements; amending s. 373.228, F.S.; revising legislative intent relating to landscape irrigation restrictions; providing that local governments may adopt restrictions set forth in district rules or orders; amending s. 373.707, F.S.; authorizing water management districts to use certain moneys in the Water Protection and Sustainability Program Trust Fund for water resource development projects; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Governmental Oversight and Accountability; and Budget.

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By Senator Latvala—

**SB 884**—A bill to be entitled An act relating to taxi operators; authorizing governmental units that regulate the operation of taxis to create a private property right in the license to operate a taxi; providing for the transfer of such property right; providing definitions; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; and Governmental Oversight and Accountability.

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By Senator Oelrich—

**SB 886**—A bill to be entitled An act relating to motor vehicles; amending s. 316.3045, F.S.; revising penalties for unlawful operation of a soundmaking device in a motor vehicle; providing that such operation is a moving violation and includes the assessment of points against the driver's license; amending s. 318.18, F.S.; providing increased penalties for repeat violations within a certain time period; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

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By Senator Dean—

**SB 888**—A bill to be entitled An act relating to the offense of sexting; providing that a minor commits the offense of sexting if he or she knowingly uses a computer, or any other device capable of electronic data transmission or distribution, to transmit or distribute to another minor any photograph or video of himself or herself which depicts nudity and is harmful to minors; providing noncriminal and criminal penalties; providing that the transmission, distribution, or possession of multiple photographs or videos is a single offense if the transmission occurs within a 24-hour period; providing that the act does not prohibit prosecution of a minor for conduct relating to material that includes the depiction of sexual conduct or sexual excitement or for stalking; defining the term “conviction”; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Communications, Energy, and Public Utilities; and Budget.

By Senator Dean—

**SB 890**—A bill to be entitled An act relating to public safety telecommunicators; amending s. 401.465, F.S.; exempting sworn state-certified law enforcement officers from certification requirements for public safety telecommunicators; providing an effective date.

—was referred to the Committees on Community Affairs; Criminal Justice; and Budget.

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By Senator Dean—

**SB 892**—A bill to be entitled An act relating to pain-management clinics; amending ss. 458.3265 and 459.0137, F.S.; authorizing counties and municipalities to adopt certain regulations of pain-management clinics; providing an effective date.

—was referred to the Committees on Health Regulation; Community Affairs; and Governmental Oversight and Accountability.

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By Senator Bennett—

**SB 894**—A bill to be entitled An act relating to the postsecondary education of military veterans; requiring that any veteran who meets specified criteria be admitted to any Florida College System institution or state university of the veteran's choice; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Higher Education; and Budget.

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By Senator Bennett—

**SB 896**—A bill to be entitled An act relating to service charges on state trust funds; amending s. 215.20, F.S.; reducing the service charge applicable to the Clerks of the Court Trust Fund; deleting obsolete provisions; providing an effective date.

—was referred to the Committees on Agriculture; Judiciary; and Budget.

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By Senator Bennett—

**SB 898**—A bill to be entitled An act relating to the Florida Faith-based and Community-based Advisory Council; repealing s. 14.31(8), F.S.; abrogating the repeal of provisions governing the Florida Faith-based and Community-based Advisory Council; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Children, Families, and Elder Affairs; and Community Affairs.

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By Senator Bennett—

**SB 900**—A bill to be entitled An act relating to specialty license plates; amending s. 320.089, F.S.; providing for the issuance of a Combat Infantry Badge license plate; providing qualifications and requirements for the plate; providing for the use of proceeds from the sale of the plate; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

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By Senator Bennett—

**SB 902**—A bill to be entitled An act relating to charitable organizations; creating s. 496.4145, F.S.; providing requirements for unattended donation bins operated by charitable organizations; requiring certain signage; requiring that the charitable organization receive a specified percentage of the donated property; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Community Affairs; and Budget.

By Senators Dean and Gaetz—

**SB 904**—A bill to be entitled An act relating to driver's licenses and identification cards; amending s. 322.08, F.S.; requiring that the application form for an original, renewal, or replacement driver's license or identification card include an option to make a voluntary contribution to Disabled American Veterans, Department of Florida; providing that such contributions are not income of a revenue nature; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Transportation; and Budget.

By Senator Dean—

**SB 906**—A bill to be entitled An act relating to background screening requirements for certain noninstructional school district employees and contractors; amending s. 1012.465, F.S.; authorizing the Department of Agriculture and Consumer Services, rather than the Department of Law Enforcement, to take fingerprints, conduct background checks through the Department of Law Enforcement, and issue statewide certificates signifying that a person has met the uniform, statewide qualifications necessary for noninstructional school district employees or contractual personnel to have access to school grounds when students are present, have direct contact with students, or have access to or control of school funds; specifying the criteria to receive a certificate; requiring school district employees or contractual personnel to possess a valid certificate issued to the school district by the Department of Agriculture and Consumer Services; requiring the school district employee or contractual personnel to bear the cost of the state and federal criminal history check required by the screening; requiring each person employed or under contract to inform his or her employer within 48 hours if the employee is convicted of a disqualifying offense; requiring the Department of Agriculture and Consumer Services to maintain a database of certificate-holders and to compare that database to the Florida Criminal Information Center database at least once every 3 months; requiring the Department of Agriculture and Consumer Services to notify the contractor and school district if any person who is employed by or under contract with, a school district is found to be a disqualified employee; requiring the school district employee or contractual personnel to possess the certificate whenever he or she is on school grounds; providing for a noncriminal penalty for failing to possess or display the certificate when on school grounds; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Criminal Justice; and Budget.

By Senators Dean and Gaetz—

**SB 908**—A bill to be entitled An act relating to road designations; designating SP4 Thomas Berry Corbin Memorial Highway and U.S. Navy BMC Samuel Calhoun Chavous, Jr. Memorial Highway in Dixie County; designating Marine Lance Corporal Brian R. Buesing Memorial Highway, United States Army Sergeant Karl A. Campbell Memorial Highway, and U.S. Army SPC James A. Page Memorial Highway in Levy County; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

By Senator Bennett—

**SB 910**—A bill to be entitled An act relating to bedding materials; amending s. 501.145, F.S.; providing a short title; defining terms; prohibiting a person from manufacturing or selling bedding that is made in whole or in part from secondhand material unless such material has been sanitized, germicidally treated, or cleaned using a method approved by the Department of Agriculture and Consumer Services; directing the department to establish methods for sanitizing, germicidally treating, or cleaning secondhand materials; requiring that all bedding manufactured, renovated, sanitized, or sold in this state which contains secondhand materials bear a clear and conspicuous label affixed to the bedding which contains specified information; requiring the label identifying bedding containing secondhand materials to be red in color and the label identifying bedding containing new materials to be white in

color; prohibiting a person other than a retail consumer from removing, defacing, or altering the label of bedding; prohibiting a false or misleading statement on a label; requiring each bedding renovator, sanitizer, or seller of renovated bedding to register with and obtain a permit from the department, which must be renewed annually; requiring that the department recognize certain documents from another state or jurisdiction for issuance of a permit number; requiring that the department establish fees for initial and renewal permits; authorizing the department to randomly conduct bedding and materials product tests and inspections of the premises of any bedding renovator, sanitizer, or seller of renovated bedding; authorizing the enforcing authority to impose an embargo on, remove, recall, condemn, destroy, or otherwise dispose of bedding if the enforcing authority finds probable cause to believe that the inspected bedding violates the act; authorizing the enforcing authority to deny, suspend, or revoke a permit or assess an administrative penalty for violations of the act; authorizing the enforcing authority to bring an action for injunction relief; providing that a person who knowingly sells bedding that contains secondhand material that is not properly labeled or has not been sanitized, treated, or cleaned in accordance with the act commits a misdemeanor of the second degree; directing the department to adopt rules; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Criminal Justice; and Budget.

By Senator Bennett—

**SB 912**—A bill to be entitled An act relating to affordable housing; amending s. 20.055, F.S.; revising the definition of "state agency" to include the Florida Housing Finance Corporation; revising the definition of "agency head" to include the board of directors of the corporation; requiring the inspector general to prepare an annual report; amending s. 159.608, F.S.; providing a housing finance authority with an additional purpose for which it may exercise its power to borrow; amending s. 163.3177, F.S.; revising provisions relating to the elements of local comprehensive plans to authorize the inclusion of an element for affordable housing for certain seniors; providing for the disposition of real property by a local government for the development of affordable housing; amending s. 201.15, F.S.; revising the allocation of certain proceeds distributed from the excise tax on documents that are paid into the State Treasury to the credit of the State Housing Trust Fund; providing for retroactive repeal of s. 8, ch. 2009-131, Laws of Florida, to eliminate a conflicting version of s. 201.15, F.S.; amending s. 420.0003, F.S.; including the needs of persons with special needs in the state housing strategy's periodic review and report; amending s. 420.0004, F.S.; defining the terms "disabling condition" and "person with special needs"; conforming cross-references; amending s. 420.0006, F.S.; removing an obsolete reference; deleting provisions requiring the inspector general of the Department of Community Affairs to perform functions for the corporation to conform to changes made by the act; amending s. 420.504, F.S.; authorizing the Secretary of Community Affairs to designate a senior-level agency employee to serve on the board of directors of the Florida Housing Finance Corporation; amending s. 420.506, F.S.; providing for the appointment of an inspector general of the Florida Housing Finance Corporation; providing appointing authority thereof; providing duties and responsibilities of the inspector general; amending s. 420.507, F.S.; requiring certain rates of interest to be made available to sponsors of projects for persons with special needs; providing additional powers of the corporation relating to receipt of federal funds; revising powers of the corporation relating to criteria establishing a preference for eligible developers and general contractors; conforming a cross-reference; amending s. 420.5087, F.S.; limiting the reservation of funds within each notice of fund availability to the persons with special needs tenant group; including persons with special needs as a tenant group for specified purposes of the State Apartment Incentive Loan Program; revising and providing criteria to be used by a specified review committee for the competitive ranking of applications for such program; conforming a cross-reference; amending ss. 163.31771, 212.08, 215.5586, and 420.503, F.S.; conforming cross-references; providing legislative intent; prohibiting funds from the State Housing Trust Fund or the Local Government Housing Trust Fund that are appropriated for specified programs from being used for certain purposes; providing for future repeal; providing an effective date.

—was referred to the Committees on Community Affairs; Children, Families, and Elder Affairs; and Budget.

By Senator Bennett—

**SB 914**—A bill to be entitled An act relating to effective public notices by governmental entities; creating s. 50.0311, F.S.; defining the term “publicly accessible website”; authorizing a local government to use its publicly accessible website for legally required advertisements and public notices; providing conditions for such use; providing for optional receipt of legally required advertisements and public notices by first-class mail or e-mail; providing requirements for advertisements and public notices published on a publicly accessible website; amending s. 50.011, F.S.; providing that a notice, advertisement, or publication on a publicly accessible website of a local government in accordance with s. 50.0311, F.S., constitutes legal notice; amending s. 50.021, F.S.; providing that advertisements directed by law or order or decree of court to be made in a county in which no newspaper is published may be made by publication on a publicly accessible website; amending s. 50.051, F.S.; providing clarifying provisions; amending s. 50.061, F.S.; providing clarifying provisions; amending s. 100.342, F.S.; providing for notice of special election or referendum on a publicly accessible website; amending s. 125.66, F.S.; providing for notice of consideration of an ordinance by a board of county commissioners to be published on a publicly accessible website; requiring maintenance of the advertisement for a specified period; providing clarifying provisions; amending s. 129.03, F.S.; providing for the advertisement of a summary statement of adopted tentative county budgets on a publicly accessible website; amending s. 129.06, F.S.; providing for advertisement of a public hearing relating to the amendment of a county budget on a publicly accessible website; amending s. 153.79, F.S.; providing for public advertisement by a county water and sewer system district of projects to construct, reconstruct, acquire, or improve a water system or a sewer system, and of a call for sealed bids for such projects, on a publicly accessible website; amending s. 159.32, F.S.; providing for advertisement for competitive bids for contracts for the construction of a project under the Florida Industrial Development Financing Act on a publicly accessible website; amending s. 162.12, F.S.; providing for optional serving of notice by a code enforcement board of a violation of a county or municipal code via a publicly accessible website; amending s. 163.3184, F.S.; providing for notice of public hearings on the adoption of a local government comprehensive plan or plan amendment or the approval of a compliance agreement under the Local Government Comprehensive Planning and Land Development Regulation Act via a publicly accessible website; amending s. 166.041, F.S.; providing for notice of adoption of a municipal ordinance via a publicly accessible website; providing clarifying provisions; amending s. 170.05, F.S.; providing for publication on a publicly accessible website of a resolution relating to municipal public improvements financed by special assessments; amending s. 170.07, F.S.; providing for publication on a publicly accessible website of notice of hearing on municipal public improvements financed by special assessments; amending s. 180.24, F.S.; providing for advertisement via a publicly accessible website of specified construction contracts for utilities or extensions to a previously constructed utility; amending s. 197.3632, F.S.; providing for publication on a publicly accessible website of a local government’s notice of intent to use the uniform method of collecting non-ad valorem assessments; amending s. 200.065, F.S.; providing for advertisement on a publicly accessible website of a taxing authority’s intent to adopt a millage rate and budget; providing for advertisement on a publicly accessible website of the intention of a specified multicounty taxing authority to adopt a tentative budget and millage rate; providing clarifying and conforming provisions; providing for notice via a publicly accessible website of correction of a specified error contained in a notice of proposed property taxes mailed to taxpayers; amending s. 255.0525, F.S.; providing for advertisement via a publicly accessible website for the solicitation of competitive bids or proposals for construction projects of a county, municipality, or other political subdivision which are projected to exceed specified costs; amending s. 380.06, F.S.; providing for publication of an advertisement on a publicly accessible website of a public hearing by a local government on an areawide development of regional impact under the Florida Environmental Land and Water Management Act of 1972; amending s. 403.7049, F.S.; prescribing procedures for fulfilling public disclosure system requirements with respect to the duty of a municipality to disclose costs for solid waste management; amending s. 403.973, F.S.; redefining the term “duly noticed” to include publication on a publicly accessible website; providing conforming provisions; amending s. 420.9075, F.S.; providing for advertisement of notice on a publicly accessible website of funding availability through a local housing assistance plan under the State Housing Initiatives Partnership Act; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; and Budget.

By Senator Thrasher—

**SB 916**—A bill to be entitled An act relating to the official Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S.; adopting the Florida Statutes 2011 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 2011 shall be effective immediately upon publication; providing that general laws enacted during the 2010 regular session and prior thereto and not included in the Florida Statutes 2011 are repealed; providing that general laws enacted during the November 16, 2010, special session and the 2011 regular session are not repealed by this adoption act; providing an effective date.

—was referred to the Committee on Rules.

By Senator Bogdanoff—

**SB 918**—A bill to be entitled An act relating to adverse possession; amending s. 95.18, F.S.; specifying that occupation and maintenance of property satisfies requirements for possession for purposes of gaining title to property via adverse possession without color of title; requiring a person seeking property by adverse possession to use a uniform adverse possession return provided by the Department of Revenue; requiring the property appraiser to notify the owner of record of an adverse possession claim; requiring a person claiming adverse possession to attest to the truthfulness of the information provided in the return under penalty of perjury; authorizing the Department of Revenue to adopt emergency rules; requiring that the property appraiser add certain information related to the adverse possession claim to the parcel information on the tax roll and prescribing conditions for removal of that information; prescribing procedures and requirements for adverse possession claims against a portion of an identified parcel or against property to which the property appraiser has not assigned a parcel number; requiring the property appraiser to include a notation of an adverse possession filing in any searchable property database maintained by the property appraiser; amending s. 197.212, F.S.; excluding property subject to adverse possession claims without color of title from provisions authorizing the tax collector not to send a tax notice for minimum tax bills; creating s. 197.3335, F.S.; requiring the tax collector to determine whether a duplicate tax payment is made by an adverse possessor; providing for priority of tax payments made by an owner of record who is subject to an adverse possession claim; providing for a refund of tax payments under certain conditions; providing for retroactive application of certain provisions governing procedures for administering a claim of adverse possession and establishing tax priority for owners of record; providing an effective date.

—was referred to the Committees on Judiciary; Community Affairs; and Budget.

By Senator Ring—

**SB 920**—A bill to be entitled An act relating to possession of stolen credit or debit cards; amending s. 817.60, F.S.; prohibiting possession of a stolen credit or debit card in specified circumstances; providing penalties; providing that a retailer who takes, accepts, retains, or possesses a stolen credit or debit card without knowledge that the card is stolen and who is authorized to process transactions by the company issuing the credit or debit card does not commit a violation under certain circumstances; providing an exception for certain retail employees; providing an effective date.

—was referred to the Committees on Criminal Justice; Commerce and Tourism; and Agriculture.

By Senator Flores—

**SB 922**—A bill to be entitled An act relating to the Florida Education Finance Program; requiring that the Department of Education enter into a contract with an entity located outside the state to conduct a study and review of the Florida Education Finance Program and recommend any

improvements that may be necessary; requiring that the department submit a report to the Legislature and the Governor by a specified date; providing an appropriation and for carryforward of any unexpended balance of funds; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Rules; and Budget.

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By Senator Thrasher—

**SB 924**—A reviser's bill to be entitled An act relating to the Florida Statutes; repealing ss. 212.08(7)(ccc), 267.171, 288.1162(6)(b), 288.95155(2)(b), 288.99, 316.1893(2), 320.0609(2)(c), 320.131(1)(m), 379.2211, 379.2212, 400.179(2)(e), 420.9072(7)(b), 494.0017, 494.0029, 494.00295, 494.0031, 494.0032, 494.0033, 494.0034, 494.0041, 494.0061, 494.0062, 494.0064, 494.0065, 494.0072, 624.4072, 1006.15(8), and 1013.37(6), F.S.; and amending ss. 339.135(4)(a) and 377.6015(1)(a), F.S.; to delete provisions which have become inoperative by noncurrent repeal or expiration and, pursuant to s. 11.242(5)(b) and (i), may be omitted from the 2011 Florida Statutes only through a reviser's bill duly enacted by the Legislature; amending ss. 14.2015, 212.05, 213.053, and 220.192, F.S., to conform cross-references; providing an effective date.

—was referred to the Committee on Rules.

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By Senator Storms—

**SB 926**—A bill to be entitled An act relating to the limitation of liability for employers who employ persons with a developmental disability; creating s. 768.0985, F.S.; providing that an employer, under certain circumstances, is not liable for the acts or omissions of an employee who is a person with a developmental disability; providing that a not-for-profit supported employment service provider that provides or has provided supported employment services to an employee with a developmental disability is not liable for the actions or conduct of the employee occurring within the scope of the employee's employment; defining the term "person with a developmental disability"; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Children, Families, and Elder Affairs; and Judiciary.

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By Senator Joyner—

**SJR 928**—A joint resolution proposing an amendment to Section 7 of Article II of the State Constitution to prohibit the exploration, drilling, extraction, or production of oil beneath Florida waters between the mean high-water line and the seaward limit of Florida's boundaries.

—was referred to the Committees on Environmental Preservation and Conservation; Judiciary; and Budget.

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By Senators Lynn and Rich—

**SB 930**—A bill to be entitled An act relating to the protection of volunteers; amending s. 768.1355, F.S.; clarifying that in order to fall under the protection of the Florida Volunteer Protection Act, a person performing a service for a nonprofit organization may not receive compensation from the nonprofit organization for that service, regardless of whether the person is receiving compensation from another source; providing an effective date.

—was referred to the Committees on Judiciary; Children, Families, and Elder Affairs; and Governmental Oversight and Accountability.

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By Senator Bennett—

**SB 932**—A bill to be entitled An act relating to seaport security; amending s. 311.12, F.S.; revising provisions relating to seaport security; prohibiting a seaport from charging any fee for administration or production of access control credentials; providing for a fine; deleting certain provisions relating to seaport security plans; deleting provisions requiring that the Department of Law Enforcement administer a state-

wide seaport access eligibility reporting system; deleting provisions requiring that persons seeking authorization to access secure and restricted areas of a seaport execute an affidavit; deleting provisions requiring fingerprint-based criminal history checks of seaport employee applicants, current employees, and other authorized persons; revising provisions to conform to changes made by the act; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Criminal Justice; and Budget.

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By Senator Storms—

**SB 934**—A bill to be entitled An act relating to surface water improvement and management plans and programs; amending s. 373.453, F.S.; requiring water management districts to establish permitting programs for urban redevelopment projects located in specified redevelopment areas; providing for the development of stormwater adaptive management plans to address water quantity discharge for such redevelopment areas; providing for certain discharge rates in such redevelopment areas; requiring stormwater discharges in such redevelopment areas to meet state water quality standards; providing water quality criteria for such discharges; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Budget.

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By Senator Storms—

**SB 936**—A bill to be entitled An act relating to the Motor Fuel Marketing Practices Act; repealing s. 526.303(4), (6), (7), (9), and (11), F.S., relating to definitions to conform; repealing s. 526.304, F.S., relating to unlawful predatory practices and exceptions thereto; deleting provisions prohibiting certain predatory practices; amending s. 526.305, F.S., relating to unlawful discriminatory practices and exceptions; conforming provisions to the repeal of s. 526.304, F.S.; repealing s. 526.309, F.S., relating to exempt sales made by a refiner; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Transportation; and Budget.

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By Senator Storms—

**SB 938**—A bill to be entitled An act relating to insurance; amending s. 626.9541, F.S.; prohibiting an insurer that issues motor vehicle insurance from using a rate, rating schedule, rating manual, or an underwriting rule that is not contained in a rating manual and is determined in whole or in part on the basis of certain characteristics of an insured; including the refusal to insure or continue to insure any individual or risk because of educational level, trade, business, occupation, profession, credit report, credit score, or certain forms of lawful employment among the list of activities constituting unfair methods of competition and unfair or deceptive acts; amending s. 626.9741, F.S.; prohibiting insurers from using credit reports and credit scores in making rating determinations; deleting provisions limiting and regulating the use of credit scores by insurers when making rating determinations; deleting the definition of "adverse decision" and "tier"; deleting provisions authorizing the Financial Services Commission to adopt rules; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce and Tourism; and Budget.

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By Senator Storms—

**SB 940**—A bill to be entitled An act relating to taxpayer rights; amending s. 192.0105, F.S.; providing a taxpayer the right to be provided all supporting documentation used in a property appraiser's assessment, without requesting such documentation, 14 days before the value adjustment board's hearing date; providing an effective date.

—was referred to the Committees on Community Affairs; and Budget.



By Senator Bogdanoff—

**SB 942**—A bill to be entitled An act relating to tax credits for research and development; creating s. 220.194, F.S.; providing definitions; providing a tax credit for certain research and development expenses; providing eligibility requirements for research and development tax credits; providing limitations regarding eligibility; providing an amount for such credit; providing a maximum amount of credit that may be taken during a single tax year by a business enterprise; providing that any unused credit may be carried forward for a specified period; authorizing the sale or assignment of unused credits to certain taxpayers under certain conditions; requiring prior approval from the Department of Revenue before an unused tax credit amount may be sold; prohibiting the Department of Revenue from unreasonably withholding approval to sell or transfer an unused tax credit amount; requiring that a party to a sale or assignment file certain information and documents with the department; providing requirements for the use of tax credits sold or assigned; limiting the total amount of tax credits which may be approved by the department in a calendar year; providing that applications for credits may be filed on or after a specified date; requiring that the credits be granted in the order in which applications are received; authorizing the department to adopt rules; amending s. 220.02, F.S.; revising legislative intent to include the research and development tax credit in the ordered list according to which credits against corporate income tax or franchise tax are applied; providing for application; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Budget.

By Senator Thrasher—

**SB 944**—A reviser’s bill to be entitled An act relating to the Florida Statutes; amending ss. 16.0155, 28.36, 102.012, 112.534, 206.608, 213.67, 283.30, 283.33, 283.43, 285.710, 288.0659, 288.106, 288.9604, 316.008, 319.30, 320.03, 321.05, 327.73, 339.135, 341.302, 373.036, 376.011, 380.0552, 380.503, 381.0065, 401.465, 402.7305, 403.7032, 403.891, 411.01, 435.03, 443.091, 443.131, 479.01, 494.00331, 550.334, 550.3345, 553.77, 624.310, 627.4605, 627.711, 633.081, 677.105, 893.055, 893.0551, 1002.69, 1003.428, 1003.429, and 1008.34, F.S.; and reenacting ss. 61.30, 163.3202, 369.317, 443.141, 497.372, and 718.111, F.S.; providing an effective date.

—was referred to the Committee on Rules.

By Senator Thrasher—

**SB 946**—A reviser’s bill to be entitled An act relating to the Florida Statutes; amending ss. 1000.01, 1000.02, 1000.04, 1000.05, 1000.06, 1000.07, 1000.21, 1001.02, 1001.03, 1001.10, 1001.11, 1001.20, 1001.27, 1001.271, 1001.28, 1001.43, 1001.60, 1001.61, 1001.62, 1001.63, 1001.64, 1001.65, 1001.705, 1001.706, 1002.20, 1002.21, 1002.33, 1002.34, 1002.41, 1002.45, 1003.03, 1003.41, 1003.4156, 1003.433, 1003.435, 1003.49, 1003.51, 1003.52, 1004.02, 1004.03, 1004.04, 1004.05, 1004.06, 1004.07, 1004.085, 1004.095, 1004.226, 1004.645, 1004.648, 1004.65, 1004.66, 1004.67, 1004.68, 1004.70, 1004.71, 1004.725, 1004.726, 1004.74, 1004.75, 1004.77, 1004.78, 1004.79, 1004.80, 1004.81, 1004.86, 1004.91, 1004.92, 1004.93, 1004.94, 1004.95, 1004.97, 1004.98, 1004.99, 1005.21, 1006.15, 1006.17, 1006.50, 1006.51, 1006.55, 1006.60, 1006.62, 1006.63, 1006.65, 1006.68, 1006.70, 1006.71, 1006.72, 1007.21, 1007.22, 1007.23, 1007.235, 1007.24, 1007.25, 1007.2615, 1007.262, 1007.263, 1007.264, 1007.265, 1007.27, 1007.271, 1007.272, 1007.28, 1007.33, 1007.34, 1007.35, 1008.30, 1008.31, 1008.32, 1008.345, 1008.385, 1008.405, 1008.41, 1008.42, 1008.43, 1008.45, 1009.21, 1009.22, 1009.23, 1009.26, 1009.26, 1009.265, 1009.27, 1009.28, 1009.285, 1009.286, 1009.29, 1009.40, 1009.42, 1009.44, 1009.50, 1009.505, 1009.533, 1009.535, 1009.55, 1009.56, 1009.60, 1009.605, 1009.65, 1009.67, 1009.70, 1009.72, 1009.77, 1009.89, 1009.891, 1009.97, 1009.971, 1009.98, 1009.981, 1010.01, 1010.02, 1010.03, 1010.04, 1010.06, 1010.07, 1010.08, 1010.09, 1010.11, 1010.22, 1010.23, 1010.30, 1010.33, 1010.34, 1010.58, 1011.01, 1011.011, 1011.012, 1011.30, 1011.31, 1011.32, 1011.51, 1011.62, 1011.68, 1011.75, 1011.80, 1011.801, 1011.81, 1011.82, 1011.83, 1011.84, 1011.85, 1011.86, 1012.01, 1012.35, 1012.56, 1012.80, 1012.81, 1012.82, 1012.83, 1012.84, 1012.85, 1012.855, 1012.86, 1012.865, 1012.87, 1012.875, 1012.88, 1012.885, 1012.98, 1013.01, 1013.02, 1013.03, 1013.12, 1013.13, 1013.19, 1013.23, 1013.231, 1013.25, 1013.27, 1013.28, 1013.31, 1013.36, 1013.37, 1013.371, 1013.40, 1013.44,

1013.51, 1013.52, 1013.60, 1013.64, 1013.65, and 1013.81, F.S., to conform to the directive in section 21 of chapter 2010-70, Laws of Florida, to prepare a reviser’s bill for consideration by the 2011 Regular Session of the Legislature to substitute the term “Florida College System Institution” for the terms “Florida college,” “community college,” and “junior college” where those terms appear in the Florida K-20 Education Code; providing an effective date.

—was referred to the Committee on Rules.

By Senator Hill—

**SB 948**—A bill to be entitled An act relating to homelessness; amending ss. 320.02, 322.08, and 322.18, F.S.; requiring the motor vehicle registration form and registration renewal form, the driver license application form, and the driver license application form for renewal issuance or renewal extension to include an option to make a voluntary contribution to aid the homeless; providing for such contributions to be deposited into the Grants and Donations Trust Fund of the Department of Children and Family Services and used by the State Office on Homelessness for certain purposes; providing that voluntary contributions for the homeless are not income of a revenue nature for the purpose of applying certain service charges; creating s. 414.161, F.S.; establishing a homelessness prevention grant program; requiring grant applicants to be ranked competitively; providing preference for certain grant applicants; providing eligibility requirements; providing grant limitations and restrictions; requiring lead agencies for local homeless assistance continuums of care to track, monitor, and report on assisted families for a specified period of time; amending s. 420.622, F.S.; limiting the percentage of funding that lead agencies may spend on administrative costs; amending s. 420.625, F.S.; deleting a cross-reference to conform; amending s. 420.6275, F.S.; revising legislative findings relating to the Housing First approach to homelessness; repealing s. 414.16, F.S., relating to the emergency assistance program for families with children that have lost shelter or face loss of shelter due to an emergency; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Transportation; and Budget.

By Senator Bennett—

**SB 950**—A bill to be entitled An act relating to water and wastewater utilities; creating s. 367.0819, F.S.; providing for recovery through a quarterly surcharge of certain costs relating to water and wastewater system improvement projects; defining a “non-revenue producing project,” requiring utilities to submit surcharge tariffs reflecting the surcharge calculation for recovery of such costs to the Florida Public Service Commission for approval and to provide specified notice of such surcharge tariff filings; providing for the automatic approval of the surcharge tariff within a specified period after filing the surcharge tariff with the commission; requiring the surcharge notice be presented as a separate line item on the customer’s bill; specifying a limitation for the surcharge amount; providing requirements for billing, reconciliation, and quarterly adjustment of the surcharge; specifying a limitation for recovery of project costs; providing project eligibility criteria; specifying water and wastewater treatment criteria; providing requirements for notice, maintenance, and availability of certain records; authorizing the commission to review specified projects; providing that surcharges are subject to refund under certain conditions; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Communications, Energy, and Public Utilities; and Budget.

By Senators Richter and Gaetz—

**SB 952**—A bill to be entitled An act relating to uniform prudent management of institutional funds; creating s. 617.2104, F.S.; creating a short title; providing definitions; providing requirements for the management of funds held by an institution exclusively for charitable purposes; providing standards of conduct in managing and investing institutional funds; providing requirements for appropriation for expenditure or accumulation of an endowment fund by an institution; authorizing an institution to delegate to an external agent the man-

agement and investment of an institutional fund; authorizing the release or modification of a restriction on management, investment, or purpose of an institutional fund; providing for determination of compliance; providing for application to existing or newly established institutional funds; providing relationship to federal law; providing requirements for uniformity of application and construction of the act; repealing s. 1010.10, F.S., relating to the Florida Uniform Management of Institutional Funds Act; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Higher Education; Governmental Oversight and Accountability; and Budget.

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By Senators Flores, Fasano, Wise, Bennett, Norman, Dockery, and Storms—

**SM 954**—A memorial to the Congress of the United States, urging Congress to propose to the states for ratification an amendment to the United States Constitution relating to parental rights.

—was referred to the Committees on Judiciary; Children, Families, and Elder Affairs; and Governmental Oversight and Accountability.

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By Senator Hays—

**SB 956**—A bill to be entitled An act relating to firearms transactions; amending s. 790.065, F.S.; providing that certain laws of this state regulating firearms transactions do not apply to transactions by a resident of this state which take place in another state; providing for the applicable law; requiring a specified background check for such transactions; repealing s. 790.28, F.S., relating to the purchase of rifles and shotguns in contiguous states by a Florida resident; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

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By the Committee on Budget Subcommittee on Finance and Tax; and Senators Bogdanoff, Alexander, and Gaetz—

**SJR 958**—A joint resolution proposing an amendment to Section 1 of Article VII and the creation of Section 19 of Article VII and Section 32 of Article XII of the State Constitution to replace the existing state revenue limitation with a new state revenue limitation based on inflation and population changes.

—was referred to the Committees on Budget Subcommittee on Finance and Tax; Budget; and Rules.

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By Senator Bennett—

**SB 960**—A bill to be entitled An act relating to liquefied petroleum gas; amending s. 527.06, F.S.; prohibiting the Department of Agriculture and Consumer Services and other state agencies from requiring compliance with certain national standards for liquefied petroleum gas tanks unless the department or agencies require compliance with a specified edition of the national standards; amending s. 527.21, F.S.; revising the term “propane” for purposes of the Florida Propane Gas Education, Safety, and Research Act, to incorporate changes to certain national standards in a reference thereto; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Commerce and Tourism; and Budget.

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By Senator Detert—

**SB 962**—A bill to be entitled An act relating to the marshal of the Supreme Court; repealing s. 25.281, F.S., relating to compensation of the marshal; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Budget.

By Senator Wise—

**SB 964**—A bill to be entitled An act relating to construction liens and bonds; amending s. 255.05, F.S.; requiring that a contractor record in the official records a payment bond for a public works construction project; requiring that the bond number be stated on the first page of the bond; prohibiting the issuing authority for a building permit or a private provider performing inspection services from inspecting the property being improved until certain documents are filed; providing that a payment and performance bond is not required for certain contracts; authorizing certain entities to exempt certain contracts from the requirement for a payment and performance bond; requiring the contractor to serve a notice of contest of claim against the payment bond; providing the form and content for a notice to contractor; providing for a sworn notice of nonpayment and providing the form and content of the notice; prohibiting a public authority from withholding payment to a contractor when the contractor has provided a payment bond; amending s. 713.015, F.S.; requiring that a contractor provide an owner with a general statement of an owner’s rights and responsibilities under Florida’s Construction Lien Law; requiring that a signed copy of the statement be filed with the building permit application; specifying the form and content of the statement; deleting the requirement that notice be included in the direct contract between the contractor and the owner; amending s. 713.06, F.S.; revising the form of a notice for liens of persons not in privity with the owner; amending s. 713.13, F.S.; revising the form of the notice of commencement; requiring a payment bond to be attached to a notice of commencement if a project is bonded; amending s. 713.135, F.S.; revising the warning to the owner printed on certain permit cards; deleting a requirement relating to filing a notice of commencement before certain inspections; revising the warning to the owner provided on a building permit form; creating s. 713.137, F.S.; prohibiting the authority issuing a building permit or a private provider performing inspection services from inspecting an improvement until certain documents have been filed and the information in the notice of commencement meets certain standards; providing exceptions; amending s. 713.16, F.S.; revising requirements for demands for a copy of a construction contract and a statement of account; authorizing a lienor who submits or mails a claim of lien to the clerk for recording to make certain demands to an owner for certain written statements; providing requirements for such written demands; amending s. 713.18, F.S.; providing additional methods by which certain items may be served; specifying the information required on certain written instruments under certain circumstances; amending s. 713.22, F.S.; requiring that the contractor serve a notice of contest of lien; amending s. 713.23, F.S.; providing for a sworn notice of nonpayment and providing the form and content of the notice; requiring that the contractor serve a notice of contest of claim against the payment bond and a notice of bond; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; Judiciary; and Budget.

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By Senator Bennett—

**SB 966**—A bill to be entitled An act relating to sovereign immunity; amending s. 768.28, F.S.; providing that certain health care providers and vendors, and their agents and employees, who primarily serve clients with specified conditions may be considered agents and employees of the state or its subdivisions with respect to such services while acting within the scope of and pursuant to guidelines established in a contractual agreement or Medicaid provider agreement; requiring indemnification; providing construction of provisions; amending ss. 29.0081, 163.01, 324.022, 456.048, 458.320, 459.0085, 616.242, 624.461, 624.462, and 627.733, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was referred to the Committees on Health Regulation; Children, Families, and Elder Affairs; and Judiciary.

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By Senator Dean—

**SB 968**—A bill to be entitled An act relating to boating safety; amending s. 327.395, F.S.; providing for agents of the Fish and Wildlife Conservation Commission to issue boater safety identification cards that must be similar in appearance to cards issued by the commission; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Budget.

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By Senator Oelrich—

**SB 970**—A bill to be entitled An act relating to the 21st Century Technology, Research, and Scholarship Enhancement Act; repealing s. 6, ch. 2006-58, Laws of Florida; abrogating the repeal of s. 1004.226, F.S., which created the 21st Century World Class Scholars Program; providing an effective date.

—was referred to the Committees on Higher Education; and Budget.

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By Senator Wise—

**SB 972**—A bill to be entitled An act relating to public school attendance; amending ss. 1002.01, 1002.20, 1002.42, and 1002.43, F.S.; conforming cross-references; amending s. 1003.01, F.S.; redefining the term “habitual truancy” to apply to students who are subject to pilot program requirements; defining the term “regular program attendance” to conform to changes made by the act; amending s. 1003.21, F.S.; requiring that a student in a pilot program school district be informed of attendance and completion requirements; creating s. 1003.215, F.S.; creating the Student Preparedness Pilot Program; requiring that the Duval County School District and each selected school district review and identify curricula options for certain students; requiring that students in pilot program districts who attain the age of 16 years but have not reached the age of 18 years and who do not regularly attend school be subject to specific attendance and completion requirements; providing for an application and selection process for school district participation; specifying procedures for termination of school enrollment and requirements for pilot program attendance and completion; providing that students who select a nontraditional academic option are not eligible students for purposes of school grading; requiring that the Office of Program Policy Analysis and Government Accountability conduct and submit an annual study and report; amending s. 1003.26, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

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By Senator Detert—

**SB 974**—A bill to be entitled An act relating to district court marshals; repealing s. 35.27 F.S., relating to compensation of the marshal; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Budget.

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By Senator Bogdanoff—

**SB 976**—A bill to be entitled An act relating to capital formation for infrastructure projects; amending ss. 288.9621, 288.9622, and 288.9623, F.S.; conforming a short title, revising legislative findings and intent, and providing definitions for the Florida Capital Formation Act; conforming cross-references; creating s. 288.9627, F.S.; providing for creation of the Florida Infrastructure Fund Partnership; providing the partnership’s purpose and duties; providing for management of the partnership by the Florida Opportunity Fund; authorizing the fund to lend moneys to the partnership; requiring the partnership to raise funds from investment partners; providing for commitment agreements with and issuance of certificates to investment partners; authorizing the partnership to invest in certain infrastructure projects; requiring the partnership to submit an annual report to the Governor and Legislature; prohibiting the partnership and the fund from pledging the credit or taxing power of the state or its political subdivisions; prohibiting the partnership from investing in projects with or accepting investments from certain companies; creating s. 288.9628, F.S.; creating the Florida Infrastructure Investment Trust; providing for powers and duties, a board of trustees, and an administrative officer of the trust; providing for the trust’s issuance of certificates to investment partners who invest in the partnership; specifying that the certificates are redeemable for tax credits under certain conditions; authorizing the trust and the fund to

charge fees; limiting the amount of tax credits issued and the amount of tax credits that may be claimed or applied against state taxes in any year; providing for the redemption or sale of certificates; providing for the issuance of the tax credits by the Department of Revenue; specifying the taxes against which the credits may be applied; limiting the period within which tax credits may be used; providing for the state’s obligation for use of the tax credits; limiting the liability of the fund; providing for the transferability of certificates and tax credits; requiring the department to provide a certain written assurance to the trust under certain circumstances; specifying that certain provisions regulating securities transactions do not apply to certificates and tax credits transferred or sold under the act; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Budget.

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By Senator Flores—

**SB 978**—A bill to be entitled An act relating to individual retirement accounts; amending s. 222.21, F.S.; clarifying the exemption of inherited individual retirement accounts from legal processes; providing intent; providing for retroactive application; providing an effective date.

—was referred to the Committees on Banking and Insurance; Judiciary; and Budget.

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By Senator Bennett—

**SB 980**—A bill to be entitled An act relating to convention development taxes; amending s. 212.0305, F.S.; making technical and grammatical changes; authorizing an increase in the rate of the charter county convention development tax; specifying permissible uses of the additional revenues; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Community Affairs; and Budget.

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By Senator Norman—

**SB 982**—A bill to be entitled An act relating to wage protection for employees; providing for a short title; providing legislative findings; prohibiting a county, municipality, or political subdivision of the state from adopting a wage theft ordinance or regulation that exceeds certain state and federal laws; preempting such activities to the state; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; and Governmental Oversight and Accountability.

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By Senator Norman—

**SB 984**—A bill to be entitled An act relating to local government code enforcement boards; amending s. 162.05, F.S.; allowing a local government code enforcement board to adopt requirements that are in lieu of residency standards for members of the board; providing criteria; providing an effective date.

—was referred to the Committees on Community Affairs; Regulated Industries; and Commerce and Tourism.

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By Senator Bennett—

**SB 986**—A bill to be entitled An act relating to the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation; amending s. 561.422, F.S.; revising provisions relating to issuance by the division of temporary permits to nonprofit civic organizations to sell alcoholic beverages; permitting the issuance of permits to any nonprofit organization; allowing the sale to include beverages for consumption on or off the premises; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and Budget.

By Senator Detert—

**SB 988**—A bill to be entitled An act relating to public school student participation in fine arts courses; amending s. 1008.34, F.S.; revising the basis for the designation of school grades to include participation rates of students in kindergarten through grade 12 who are enrolled in fine arts courses; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

By Senator Bennett—

**SB 990**—A bill to be entitled An act relating to motor vehicle title loans; providing a directive to the Division of Statutory Revision; repealing s. 537.001, F.S., relating to a short title; amending s. 537.002, F.S.; preempting the regulation of motor vehicle title loans to the state; amending s. 537.003, F.S.; revising definitions; providing that title loans are secured by a nonpurchase money security interest in a motor vehicle; amending s. 537.004, F.S.; prohibiting a title loan lender from also providing deferred presentment transactions; amending ss. 537.005, 537.006, and 537.007, F.S.; conforming provisions to changes made by the act; amending s. 537.008, F.S.; revising the information that must be in a title loan agreement; specifying the maturity timeframe for a title loan; requiring that a statement relating to the cost of the loan be included in the title loan agreement; revising provisions relating to the title loan lender's actions upon executing an agreement; creating s. 537.0085, F.S.; allowing a borrower to rescind a loan under certain circumstances; amending s. 537.009, F.S.; revising provisions relating to recordkeeping; conforming provisions to changes made by the act; amending s. 537.011, F.S.; revising provisions relating to title loan charges; prohibiting a title loan from being extended; amending s. 537.012, F.S.; revising provisions relating to the repossession of a motor vehicle for loan default; requiring prior notice to the borrower; prohibiting a title loan lender from seeking a money judgment against a borrower except in certain circumstances; amending s. 537.013, F.S.; revising prohibited acts; requiring a lender to return a certificate of title 3 days after regaining possession of it; prohibiting a lender from loaning a principal amount that exceeds 50 percent of the fair market value of the motor vehicle; repealing s. 537.014, F.S., relating to the right to reclaim the loan property; amending ss. 537.015, 537.016, and 537.017, F.S.; conforming provisions to changes made by the act; repealing s. 537.018, F.S., relating to authorization for county and municipal ordinances; amending s. 494.00797, F.S.; conforming provisions to changes made by the act; transferring activities relating to title loans from the Department of Financial Services to the Department of Agriculture and Consumer Services by a type two transfer; providing an effective date.

—was referred to the Committees on Banking and Insurance; Community Affairs; and Budget.

By Senator Dockery—

**SB 992**—A bill to be entitled An act relating to public school funding; requiring the Office of Program Policy Analysis and Government Accountability to conduct a study to determine minimum per-student funding to meet constitutional requirements; requiring a report to the Legislature; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Community Affairs; and Budget.

By Senator Latvala—

**SB 994**—A bill to be entitled An act relating to public records; creating s. 332.16, F.S.; providing definitions; providing an exemption from public-records requirements for proprietary confidential business information submitted to or held by a public airport and for any proposal or counterproposal exchanged between the governing body of a public airport and a nongovernmental entity relating to the sale, use, development, or lease of airport land or airport facilities; providing for ex-

ceptions to the exemptions; providing for future legislative review and repeal of the exemptions under the Open Government Sunset Review Act; providing a finding of public necessity; providing an effective date.

—was referred to the Committees on Community Affairs; Commerce and Tourism; and Governmental Oversight and Accountability.

By Senator Simmons—

**SB 996**—A bill to be entitled An act relating to communications among the branches of state government; providing a short title; creating ss. 25.079 and 35.079, F.S.; requiring the clerks of the State Supreme Court and district courts of appeal to transmit certain judicial opinions to the Governor, the President of the Senate, and the Speaker of the House of Representatives within a specified time; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Budget.

By Senators Simmons, Hays, Thrasher, Wise, Bennett, Alexander, Dean, and Gaetz—

**SB 998**—A bill to be entitled An act relating to property rights; amending s. 70.001, F.S.; revising a definition; shortening a notice period for certain actions; providing for the state land planning agency to receive notice of claims; revising procedures for determining a governmental entity's final decision identifying the allowable uses for a property; providing that enactment of a law or adoption of a regulation does not constitute applying the law or regulation; providing for a waiver of sovereign immunity for liability; providing for prospective application; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; and Budget.

By Senator Wise—

**SB 1000**—A bill to be entitled An act relating to interscholastic and intrascholastic sports; amending s. 1006.15, F.S.; removing certain provisions relating to a pilot program in which a middle school student or a high school student in a private school may participate in athletics at a public school; providing for statewide implementation of the program; requiring that the athletic director of each public school maintain the records of students participating in the program; requiring that any private school that is not a member of the Florida High School Athletic Association make the records of participating students available to the association upon request; requiring that a student apply to participate in the program through the appropriate application process; limiting participation in the program to students who are enrolled in non-FHSA member private schools consisting of a maximum number of students; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Health Regulation; and Budget.

By Senator Montford—

**SB 1002**—A bill to be entitled An act relating to state agency business cards; amending s. 287.042, F.S.; requiring the Department of Management Services to delegate to state agencies the authority to braille their business cards or to purchase business cards that are brailled; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Budget.

**SB 1004**—Withdrawn prior to introduction.

By Senator Altman—

**SB 1006**—A bill to be entitled An act relating to estate, inheritance, and other death taxes; providing a short title; creating s. 198.46, F.S.; providing definitions; imposing a retaliatory tax on property of a non-resident decedent when the nonresident's state of domicile imposes estate, inheritance, or other death taxes upon a resident of this state; providing a limitation; specifying tax rate criteria; providing tax payment requirements; providing application; providing an effective date.

—was referred to the Committees on Judiciary; and Budget.

By Senator Simmons—

**SB 1008**—A bill to be entitled An act relating to liens for recovering, towing, or storing vehicles or vessels; amending s. 713.78, F.S.; defining the term “department”; revising procedures for notification concerning liens for the recovery of certain costs for recovering, towing, or storing a vehicle or vessel; removing the authority of the Department of Highway Safety and Motor Vehicles to release information concerning the insurance company; establishing fees for the lien notification; revising requirements governing the contents of the notification; revising requirements for locating and notifying persons about the impending sale of an unclaimed vehicle or vessel or its contents; revising requirements concerning public notice of the impending sale; removing duplicative provisions concerning rulemaking by the department; amending s. 715.07, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was referred to the Committees on Transportation; Commerce and Tourism; and Budget.

By Senator Simmons—

**SB 1010**—A bill to be entitled An act relating to neighborhood improvement districts; amending s. 163.501, F.S.; revising the short title to become the “Neighborhoods Improvement Act”; amending s. 163.502, F.S.; revising legislative findings and purpose; amending s. 163.503, F.S.; revising a definition and removing definitions for “environmental security,” “crime prevention,” “defensible space,” “enterprise zone,” and “community policing innovation”; amending s. 163.5035, F.S.; conforming provisions to changes made by the act; amending s. 163.504, F.S.; authorizing the governing body of any municipality or county to form a neighborhood improvement district through the adoption of an ordinance rather than by a planning ordinance; removing provisions pertaining to the creation and funding of safe neighborhood districts; amending s. 163.5055, F.S.; requiring each neighborhood improvement district authorized under law to notify the Department of Community Affairs and the Department of Legal Affairs of their existence rather than to register with them; amending s. 163.506, F.S.; revising provisions authorizing a local governing body to create a local government neighborhood improvement district; specifying that the ordinance may authorize the improvement district to borrow money, issue bonds, and collect special assessments; authorizing the governing body of the improvement district to levy ad valorem taxes upon real and tangible personal property within the district which the governing body deems necessary for payment on the general obligation bonds; authorizing the district to make and collect special assessments; removing provisions allowing an alternative organization for the board of directors; amending s. 163.508, F.S., relating to property owners’ association neighborhood improvement districts; revising the requirements for creating a property owners’ association neighborhood improvement district by the enactment of a separate ordinance for each district; authorizing the governing body to request grants from the state; amending s. 163.511, F.S., relating to special neighborhood improvement districts; revising provisions to conform to changes made by the act; revising the method of appointing and removing directors of the district; amending s. 163.512, F.S.; revising provisions authorizing a municipality or county to create a community redevelopment neighborhood improvement district; authorizing the district to receive grants and other funding; providing that the local governing body may dissolve the district under certain circumstances; repealing s. 163.513, F.S., relating to crime prevention through community policing innovations; amending s. 163.514, F.S.; specifying the powers of neighborhood improvement districts; allowing the district to contract with legal counsel and other needed professionals; authorizing the districts to collect special assessments under certain circumstances

and following designated procedures; amending s. 163.5151, F.S.; requiring a local government to prepare its budget in a specified manner if levying an ad valorem tax on real or personal property; amending s. 163.516, F.S.; requiring neighborhood improvement plans to be created for each improvement district; specifying the contents of the neighborhood improvement district’s plan; repealing s. 163.517, F.S., relating to the safe neighborhoods program; repealing s. 163.519, F.S., relating to the duties of the Department of Legal Affairs; repealing s. 163.521, F.S., relating to the neighborhood improvement district inside an enterprise zone; repealing s. 163.5215, F.S., relating to the effect and construction of the existing laws; repealing s. 163.522, F.S., relating to state redevelopment programs; repealing s. 163.523, F.S., relating to safe neighborhood districts; repealing s. 163.524, F.S., relating to the Neighborhood Preservation and Enhancement Program; repealing s. 163.526, F.S., relating to Neighborhood Councils and the local government designated agency; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; and Budget.

By the Committee on Budget Subcommittee on Criminal and Civil Justice Appropriations—

**SB 1012**—A bill to be entitled An act relating to trust funds; re-creating the State Attorneys Revenue Trust Fund within the Justice Administrative Commission without modification; repealing s. 27.367(2), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Budget.

By the Committee on Budget Subcommittee on Criminal and Civil Justice Appropriations—

**SB 1014**—A bill to be entitled An act relating to trust funds; re-creating the Public Defenders Revenue Trust Fund within the Justice Administrative Commission without modification; repealing s. 27.61(2), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Budget.

By the Committee on Budget Subcommittee on Criminal and Civil Justice Appropriations—

**SB 1016**—A bill to be entitled An act relating to trust funds; re-creating the Indigent Civil Defense Trust Fund within the Justice Administrative Commission without modification; repealing s. 27.5111(2), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Budget.

By the Committee on Budget Subcommittee on Criminal and Civil Justice Appropriations—

**SB 1018**—A bill to be entitled An act relating to trust funds; re-creating the State Courts Revenue Trust Fund within the state courts system without modification; repealing s. 29.22(2), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Budget.

By the Committee on Budget Subcommittee on Criminal and Civil Justice Appropriations—

**SB 1020**—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Department of Legal Affairs without modification; repealing s. 20.112(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Budget.

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By the Committee on Budget Subcommittee on Criminal and Civil Justice Appropriations—

**SB 1022**—A bill to be entitled An act relating to trust funds; re-creating the Operating Trust Fund within the Department of Legal Affairs without modification; repealing s. 20.111(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Budget.

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By the Committee on Budget Subcommittee on Criminal and Civil Justice Appropriations—

**SB 1024**—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Department of Juvenile Justice without modification; repealing s. 20.3161(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Budget.

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By the Committee on Budget Subcommittee on Education Pre-K - 12 Appropriations—

**SB 1026**—A bill to be entitled An act relating to trust funds; re-creating the Operating Trust Fund within the Department of Education without modification; repealing s. 1001.281(4), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Budget.

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By the Committee on Budget Subcommittee on Education Pre-K - 12 Appropriations—

**SB 1028**—A bill to be entitled An act relating to trust funds; re-creating the Administrative Trust Fund within the Department of Education without modification; repealing s. 1001.282(4), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Budget.

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By the Committee on Budget Subcommittee on General Government Appropriations—

**SB 1030**—A bill to be entitled An act relating to trust funds; terminating specified trust funds within the Department of Financial Services; providing for the disposition of balances in and revenues of such trust funds; prescribing procedures for the termination of such trust funds; providing an effective date.

—was referred to the Committee on Budget.

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By the Committee on Budget Subcommittee on General Government Appropriations—

**SB 1032**—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Department of Environmental Protection without modification; repealing s. 20.25501(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Budget.

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By the Committee on Budget Subcommittee on General Government Appropriations—

**SB 1034**—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Department of Revenue without modification; repealing s. 215.197(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Budget.

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By the Committee on Budget Subcommittee on General Government Appropriations—

**SB 1036**—A bill to be entitled An act relating to trust funds; re-creating and renaming the Operations Trust Fund within the Department of Revenue; repealing s. 215.198(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Budget.

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By the Committee on Budget Subcommittee on General Government Appropriations—

**SB 1038**—A bill to be entitled An act relating to trust funds; creating s. 17.67, F.S.; creating the Federal Grants Trust Fund within the Department of Financial Services; providing for the purpose of the trust fund and sources of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Committee on Budget.

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By the Committee on Budget Subcommittee on General Government Appropriations—

**SB 1040**—A bill to be entitled An act relating to trust funds; amending s. 455.116, F.S.; providing a statutory reference for the trust fund created by the act; creating s. 499.0031, F.S.; creating the Florida Drug, Device, and Cosmetic Trust Fund within the Department of Business and Professional Regulation; providing for the purpose of the trust fund and sources of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Committee on Budget.

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By the Committee on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations—

**SB 1042**—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Department of Highway Safety and Motor Vehicles without modification; repealing s. 20.241(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Budget.

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By the Committee on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations—

**SB 1044**—A bill to be entitled An act relating to trust funds; terminating the International Registration Clearing Trust Fund within the Department of Highway Safety and Motor Vehicles; providing for the disposition of balances in and revenues of the trust fund; prescribing procedures for terminating the trust fund; repealing s. 2(4)(a), ch. 2004-235, Laws of Florida, relating to an exemption from termination provided for the trust fund; providing an effective date.

—was referred to the Committee on Budget.

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By Senator Montford—

**SB 1046**—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending ss. 121.0515, 125.27, 253.036, 258.501, 259.035, 259.036, 259.037, 259.101, 259.105, 259.10521, 260.0142, 261.03, 261.04, 261.06, 261.12, 317.0010, 317.0016, 373.591, 379.226, 403.7071, 479.16, 570.548, 570.549, 570.903, 581.1843, 589.01, 589.011, 589.012, 589.04, 589.06, 589.07, 589.071, 589.08, 589.081, 589.09, 589.10, 589.101, 589.11, 589.12, 589.13, 589.14, 589.18, 589.19, 589.20, 589.21, 589.26, 589.27, 589.275, 589.277, 589.28, 589.29, 589.30, 589.31, 589.32, 589.33, 589.34, 590.015, 590.02, 590.42, 591.17, 591.18, 591.19, 591.20, 591.24, 591.25, 633.115, 633.821, and 790.15, F.S.; renaming the Division of Forestry within the department as the “Florida Forest Service”; replacing the term “Division of Forestry” with the term “Florida Forest Service” and replacing the term “division” with the term “agency”; making conforming changes; providing an effective date.

—was referred to the Committees on Agriculture; Governmental Oversight and Accountability; and Budget.

By Senator Lynn—

**SB 1048**—A bill to be entitled An act relating to public utilities; amending s. 366.02, F.S.; revising the definition of the term “public utility” to exclude certain renewable energy production facilities; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; and Budget.

By Senators Fasano and Lynn—

**SB 1050**—A bill to be entitled An act relating to effects of crimes; amending s. 61.075, F.S.; providing that a court may not make an equitable distribution of property in a dissolution of marriage to a party convicted of certain offenses concerning the other party; amending s. 61.08, F.S.; prohibiting persons convicted of specified crimes after a marriage from receiving alimony; creating s. 732.8025, F.S.; providing that a parent who commits specified offenses against a minor child shall lose all right to the intestate succession in the child’s estate and all right to administer the estate; providing for distribution of that share of the estate; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; and Children, Families, and Elder Affairs.

By Senator Altman—

**SB 1052**—A bill to be entitled An act relating to crisis stabilization units; amending s. 394.875, F.S.; increasing the number of client beds a crisis stabilization unit is authorized to provide; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Hill—

**SB 1054**—A bill to be entitled An act relating to injunctions for protection against domestic violence, repeat violence, sexual violence, or dating violence; amending s. 741.29, F.S.; requiring a law enforcement officer, under certain circumstances, to arrest and keep in custody for a specified period a person who is suspected of domestic violence; requiring a law enforcement officer, under certain circumstances, to arrest and to keep in custody for a specified period a suspected primary aggressor in a case of domestic violence; amending ss. 741.30 and 784.046, F.S.; requiring the court, under certain circumstances, to order the sheriff to take into custody and to keep in custody for a specified period the respondent of a petition for an injunction for protection against domestic violence or for an injunction for protection against repeat violence, sexual violence, or dating violence; requiring a law enforcement officer, under certain circumstances, to arrest and to keep in custody for a specified period a person who is suspected of dating violence or who is

the primary aggressor in a case of dating violence; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Sachs—

**SB 1056**—A bill to be entitled An act relating to infant eye care; amending s. 383.04, F.S.; requiring certain eye examinations for all infants born in hospitals in the state; exempting this requirement from s. 383.07, F.S., relating to a penalty; revising an exception to certain applicability requirements concerning infant eye care; amending ss. 627.6416 and 641.31, F.S.; providing that coverage for children under health insurance policies and health maintenance organization contracts must include certain eye examinations for infants and children; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Regulation; and Budget.

By Senator Hill—

**SB 1058**—A bill to be entitled An act relating to unemployment compensation; amending s. 443.036, F.S.; defining the terms “agency” and “member of the individual’s immediate family”; amending s. 443.091, F.S.; conforming a cross-reference; revising the requirements for eligibility to receive benefits; prohibiting a determination of ineligibility based solely on the fact that the individual is available only for part-time work; amending s. 443.101, F.S.; revising the definition of the term “good cause”; prohibiting a determination of ineligibility based solely on the fact that the individual is available only for part-time work; amending ss. 443.1216 and 443.131, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Budget.

By Senator Lynn—

**SB 1060**—A bill to be entitled An act relating to programs for misdemeanor offenders; amending s. 948.15, F.S.; providing for defendants found guilty of certain misdemeanor drug offenses to be placed into licensed substance abuse education and treatment intervention programs; authorizing private or public entities to provide such programs; requiring that a private entity provide such programs under contract and comply with applicable laws; amending s. 948.16, F.S.; removing certain eligibility criteria prohibiting such placement if the defendant has previously been admitted to a pretrial program; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

By Senators Hill and Gaetz—

**SB 1062**—A bill to be entitled An act relating to Veterans’ Day; requiring school districts to observe Veterans’ Day; prohibiting holding classes on that day and providing an exception; requiring the date of the Veterans’ Day observance to correspond to the federal holiday; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Education Pre-K - 12; and Community Affairs.

By Senator Lynn—

**SB 1064**—A bill to be entitled An act relating to the practice of surgical technology; providing legislative purpose and intent; providing definitions; prohibiting a person from practicing surgical technology in a health care facility unless he or she meets certain criteria; providing an exception for a specified time; prohibiting a health care facility from employing or contracting for the services of a surgical technologist unless the surgical technologist meets certain requirements; requiring continuing education for persons qualified to practice surgical technology;

requiring a health care facility to verify that a person who is qualified to practice surgical technology meets continuing education requirements and maintains the credential of certified surgical technologist; requiring a health care facility to supervise persons employed or contracted by a health care facility to practice surgical technology; providing that the act does not prohibit certain licensed health care practitioners and medical and osteopathic students from performing tasks or functions related to surgical technology; requiring the Agency for Health Care Administration to adopt rules; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Altman—

**SB 1066**—A bill to be entitled An act relating to sentencing in capital felonies; amending ss. 921.141 and 921.142, F.S.; requiring that, after a specified date, an advisory sentence of death be made by a unanimous recommendation of the jury following a defendant's conviction or adjudication of guilt for a capital felony or capital drug trafficking felony; requiring that the court enter a sentence notwithstanding the unanimous recommendation of the jury; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Hays—

**SB 1068**—A bill to be entitled An act relating to the Department of Financial Services; amending s. 20.121, F.S.; revising duties of the Division of Consumer Services; amending ss. 284.01 and 284.36, F.S.; revising criteria for premiums charged to agencies and departments for purposes of the State Risk Management Trust Fund; amending s. 284.42, F.S.; revising reporting requirements for the Department of Financial Services and the Department of Management Services on the state insurance program; requiring the Division of Risk Management to analyze and report on certain agency return-to-work programs and activities; amending s. 284.50, F.S.; requiring certain agencies to establish and maintain return-to-work programs for certain employees; providing program goals; requiring the Division of Risk Management to evaluate agency risk management programs; requiring reports; requiring agencies to respond to the division's evaluation and recommendations within a specified time; requiring the division to submit the evaluation report to the legislative appropriations committees in certain circumstances; amending s. 440.13, F.S.; revising requirements for determining the amount of a reimbursement for repackaged or relabeled prescription medication; providing limitations; amending s. 440.50, F.S.; providing for reversion of certain unencumbered and undisbursed funds to the Workers' Compensation Administration Trust Fund; providing an effective date.

—was referred to the Committees on Banking and Insurance; Governmental Oversight and Accountability; and Budget.

By Senator Hays—

**SB 1070**—A bill to be entitled An act relating to the Florida Clean Indoor Air Act; amending s. 386.209, F.S.; limiting state preemption of the regulation of smoking to indoor smoking; providing an effective date.

—was referred to the Committees on Regulated Industries; Health Regulation; and Community Affairs.

By Senator Latvala—

**SB 1072**—A bill to be entitled An act relating to real property; amending s. 222.01, F.S.; revising procedures for a person, including certain lienholders, subsequent owners, and successors in interest, to claim that a property is exempt from forced sale; authorizing the exemption from forced sale to be claimed if a code enforcement lien exists or has been recorded against a property; providing a form notice of exemption from forced sale for use by certain lienholders, subsequent owners, or successors in interest; requiring a clerk of court to mail a notice of exemption from forced sale to a judgment lienor or lienholder; providing that the judgment lien or lien of a lienor or lienholder who fails

to institute certain legal actions within a certain time does not attach to the interest of a subsequent owner, lienholder, or successor in interest who files a notice of exemption from forced sale; amending s. 695.01, F.S.; providing that certain conveyances, transfers, or mortgages of real property are not valid against creditors or subsequent purchasers unless such documents are recorded in the official records; providing that a lien imposed on real property by a governmental or quasi-governmental entity for certain purposes is not valid against a creditor or subsequent purchasers unless the lien is recorded; specifying the priority of liens; providing for the assignment of a lien; amending s. 695.27, F.S.; including s. 695.28, F.S., in the Uniform Real Property Electronic Recording Act; extending the existence of the Electronic Recording Advisory Committee; creating s. 695.28, F.S.; providing for the validity of certain documents that have been recorded electronically; providing that the act is intended to clarify existing law and applies retroactively; providing effective dates.

—was referred to the Committees on Judiciary; Community Affairs; Banking and Insurance; and Budget.

**Senate Resolutions 1074-1078**—Not referenced.

By Senator Altman—

**SB 1080**—A bill to be entitled An act relating to exemptions from the tax on sales, use, and other transactions; amending s. 212.08, F.S.; exempting certain items used to manufacture, produce, or modify gas turbine engine parts from the tax on sales, use, and other transactions; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Budget.

By Senator Altman—

**SB 1082**—A bill to be entitled An act relating to medical devices; amending s. 401.2915, F.S.; requiring certain entities to notify local emergency services medical directors of the locations of automated external defibrillators; requiring local emergency medical services medical directors to maintain registries of certain automated external defibrillator locations; amending s. 768.1326, F.S.; directing the State Surgeon General, with the assistance of the Department of Management Services, to adopt rules to establish guidelines for the appropriate placement and deployment of automated external defibrillators in places of public assembly; providing a definition; providing exceptions; clarifying the scope of the requirements of the act; amending s. 1006.165, F.S.; requiring the placement of an automated external defibrillator in each public school in this state; requiring training of certain persons; requiring registration of such devices with local emergency medical services medical directors; providing an effective date.

—was referred to the Committees on Health Regulation; Community Affairs; and Budget.

By Senator Altman—

**SB 1084**—A bill to be entitled An act relating to enterprise zones; creating s. 290.00726, F.S.; authorizing the City of Palm Bay to apply to the Office of Tourism, Trade, and Economic Development for designation of an enterprise zone; providing an application deadline; providing requirements for the area of the enterprise zone; requiring the office to establish the effective date of the enterprise zone; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Community Affairs; and Budget.

By Senator Hill—

**SB 1086**—A bill to be entitled An act relating to the restraint of incarcerated pregnant women; providing a short title; defining terms; prohibiting a correctional institution or county or municipal detention facility from using restraints on a prisoner known to be pregnant unless



a corrections official makes an individualized determination that the prisoner presents an extraordinary circumstance requiring restraints; providing that a doctor, nurse, or other health care professional treating the prisoner may request that restraints not be used, in which case the corrections official accompanying the prisoner shall remove all restraints; requiring that any restraint applied must be done in the least restrictive manner necessary; requiring the corrections official to make written findings within 10 days as to the extraordinary circumstance that dictated the use of restraints; requiring that the findings be kept on file by the correctional institution or detention facility for at least 5 years and be made available for public inspection under certain circumstances; authorizing any woman who is restrained in violation of the act to file a complaint within a specified period; providing that these remedies do not prevent a woman harmed from filing a complaint under any other relevant provision of federal or state law; directing the Department of Corrections and the Department of Juvenile Justice to adopt rules; requiring correctional institutions and detention facilities to inform prisoners of the rules upon admission, including the policies and practices in the prisoner handbook, and post the policies and practices in the correctional institution or detention facility; requiring the Secretary of Corrections, the Secretary of Juvenile Justice, and county and municipal corrections officials to annually file written reports with the Executive Office of the Governor detailing each incident of shackling; providing an effective date.

—was referred to the Committees on Criminal Justice; Health Regulation; Community Affairs; and Budget.

By Senator Altman—

**SB 1088**—A bill to be entitled An act relating to criminal conduct; amending s. 827.03, F.S.; defining the term “mental injury” with respect to the offenses of abuse, aggravated abuse, and neglect of a child; requiring that a person acting as an expert witness have certain credentials; providing affirmative defenses to the offenses of child abuse, aggravated child abuse, and neglect; amending ss. 775.084, 775.0877, 782.07, 921.0022, and 948.062, F.S.; conforming cross-references; amending s. 960.03, F.S.; redefining the term “crime” for purposes of crime victims compensation to include additional forms of injury; redefining the term “victim” to conform with the modified definition of the term “crime”; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; Judiciary; and Budget.

By Senators Dean and Lynn—

**SB 1090**—A bill to be entitled An act relating to numeric nutrient water quality criteria; prohibiting the Department of Environmental Protection, the water management districts, and other governmental entities from implementing federal rules relating to numeric nutrient water quality criteria; providing that the prohibition does not limit a water management district or a state, regional, or local governmental entity from applying for a pollution discharge permit or complying with the permit or from implementing certain practices or measures; authorizing the department to adopt site-specific water quality criteria subject to certain conditions; providing that certain nutrient numeric standards already developed by the department constitute site-specific criteria under certain conditions; providing that such criteria are subject to administrative challenge and may be modified; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Budget.

By Senator Wise—

**SB 1092**—A bill to be entitled An act relating to state attorneys; amending s. 27.366, F.S.; deleting a provision that requires each state attorney to quarterly submit deviation memoranda relating to offenders who are not sentenced to the mandatory minimum prison sentence in cases involving the possession or use of a weapon; amending s. 775.082, F.S.; deleting a provision that requires each state attorney to quarterly submit deviation memoranda relating to why a defendant did not receive the mandatory minimum prison sentence in cases involving certain

specified offenses; repealing s. 775.08401, F.S., relating to criteria to be used when state attorneys decide to pursue habitual felony offenders or habitual violent felony offenders; repealing s. 775.087(5), F.S., relating to a provision that requires each state attorney to report why a case-qualified defendant did not receive the mandatory minimum prison sentence in cases involving certain specified offenses; amending s. 938.27, F.S.; deleting a provision requiring that agencies request a convicted person to pay certain costs; deleting a provision regarding the burden of establishing financial resources of the defendant; repealing s. 985.557(4), F.S., relating to direct-file policies and guidelines for juveniles; amending s. 775.0843, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Fasano—

**SB 1094**—A bill to be entitled An act relating to offenses against unborn children; providing a short title; amending s. 782.071, F.S.; defining the term “unborn child” for purposes of vehicular homicide; revising terminology to refer to “unborn child” rather than “viable fetus”; providing legislative intent; amending s. 782.09, F.S.; revising terminology; providing that certain offenses relating to the killing of an unborn child by injury to the mother do not require specified knowledge or intent; amending ss. 316.193, 435.04, and 921.0022, F.S.; conforming terminology; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Hays—

**SB 1096**—A bill to be entitled An act relating to columbaria; amending s. 497.260, F.S.; exempting from regulation certain columbaria located on a motorsports entertainment complex; providing an effective date.

—was referred to the Committees on Regulated Industries; Commerce and Tourism; and Community Affairs.

By Senator Hays—

**SB 1098**—A bill to be entitled An act relating to collective bargaining for certain public employees; amending s. 447.203, F.S.; specifying that for purposes of resolving an impasse the sheriff, the tax collector, the property appraiser, the supervisor of elections, and the clerk of the circuit court are each deemed the “legislative body” for their respective employees; providing that in a county that has expressly abolished the office of any constitutional officer, such duties are transferred to the officer as provided for under the county charter if the charter is not inconsistent with general law or a special law approved by a vote of the electors; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; and Governmental Oversight and Accountability.

By Senator Detert—

**SB 1100**—A bill to be entitled An act relating to residence of the clerk of the circuit court; repealing s. 28.08, F.S., relating to the clerk of the circuit court’s place of residence; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Detert—

**SB 1102**—A bill to be entitled An act relating to energy; amending s. 366.92, F.S.; revising definitions and providing additional definitions; requiring that electric utilities meet or exceed specified standards for the production or purchase of clean energy; establishing a schedule for compliance; providing a penalty if a utility fails to meet the standards; authorizing the Public Service Commission to exempt certain electric

utilities from compliance under specified conditions; requiring that the commission adopt rules; requiring an annual report to the Legislature; amending s. 366.93, F.S.; authorizing the Public Service Commission to allow a utility to recover the costs of converting an existing fossil fuel plant to a biomass plant under certain conditions; encouraging utilities to pursue joint ownership of nuclear power plants; requiring that certain costs be shared; creating s. 366.99, F.S.; providing a short title; providing legislative findings with respect to the need to reduce greenhouse gas emissions through the direct end-use of natural gas; defining terms; authorizing a utility to establish a surcharge for the purpose of constructing natural gas installations in areas that lack natural gas service; providing limitations on the surcharge; providing procedures for determining the surcharge and making filings to the commission; requiring that the commission conduct limited proceedings to determine the amount of the surcharge; providing for future expiration of provisions authorizing the surcharge; amending s. 377.6015, F.S.; providing that terms for members of the Florida Energy and Climate Commission begin and end on specified dates; deleting an obsolete provision; amending s. 377.705, F.S.; requiring that the Solar Energy Center charge testing fees; directing the Florida Building Commission to make all changes to the building and energy codes necessary to conform to the act; amending s. 403.503, F.S.; redefining the term "electrical power plant" to exclude solar electrical generating facilities; amending s. 525.09, F.S.; imposing a fee on alternative fuel containing alcohol; requiring that the Florida Energy and Climate Commission prepare a report identifying ways to increase the energy-efficiency practices of low-income households; requiring that the report include certain determinations and recommendations and be submitted to the Legislature by a specified date; providing for the extension of the appointment of a commissioner on the Florida Energy and Climate Commission if he or she is not confirmed during the 2011 Regular Session or the 2012 Regular Session; requiring that the Florida Energy and Climate Commission obtain the approval of the joint Legislative Budget Commission before spending or disbursing any funds received from the Federal Government as part of a federal stimulus package; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Environmental Preservation and Conservation; and Budget.

By Senator Altman—

**SB 1104**—A bill to be entitled An act relating to intellectual disabilities; amending s. 39.502, F.S.; substituting the Arc of Florida for the Association for Retarded Citizens for purposes of certain proceedings relating to children; amending ss. 40.013, 86.041, 92.53, 92.54, and 92.55, F.S.; substituting the term "intellectual disability" for the term "mental retardation"; amending s. 320.10, F.S.; substituting the Arc of Florida for the Association for Retarded Citizens; amending ss. 383.14, 393.063, 393.11, and 394.455, F.S.; substituting the term "intellectual disability" for the term "mental retardation"; clarifying in s. 393.063, that the meaning of the terms "intellectual disability" or "intellectually disabled" is the same as the meaning of the terms "mental retardation," "retarded," and "mentally retarded" for purposes of matters relating to the criminal laws and court rules; amending s. 400.960, F.S.; revising definitions relating to intermediate care facilities for the developmentally disabled to delete unused terms; amending s. 408.032, F.S.; conforming a cross-reference; amending s. 409.908, F.S.; substituting the term "intellectually disabled" for the term "mentally retarded"; amending ss. 413.20, 440.49, and 499.0054, F.S.; substituting the term "intellectual disability" for the term "mental retardation"; amending s. 514.072, F.S.; conforming a cross-reference and deleting obsolete provisions; amending ss. 627.6041, 627.6615, 641.31, 650.05, 765.204, 849.04, 914.16, 914.17, 916.105, and 916.106, F.S.; substituting the term "intellectual disability" for the term "mental retardation"; amending s. 916.107, F.S.; substituting the term "intellectual disability" for the term "retardation"; providing a directive to the Division of Statutory Revision; amending ss. 916.301, 916.3012, 916.302, 916.3025, 916.303, 916.304, 918.16, 921.137, 941.38, 944.602, 945.025, 945.12, 945.42, 947.185, 984.19, 985.14, 985.145, 985.18, 985.19, 985.195, and 985.61, F.S.; clarifying in s. 921.137, F.S., that the terms "intellectual disability" or "intellectually disabled" are interchangeable with and have the same meaning as the terms "mental retardation," or "retardation" and "mentally retarded," as defined before the effective date of the act; substituting the term "intellectual disability" for the term "mental retardation"; expressing legislative intent; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; and Budget.

By Senator Bennett—

**SB 1106**—A bill to be entitled An act relating to an exemption from hunter safety course requirements; amending ss. 379.353 and 379.3581, F.S.; providing an exemption from hunter safety course requirements for a person issued a permit, license, or authorization to take game or furbearing animals on private land; directing the Fish and Wildlife Conservation Commission to adopt rules; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and Budget.

By Senator Storms—

**SB 1108**—A bill to be entitled An act relating to the use of cigarette tax proceeds; amending s. 210.20, F.S.; revising the payment and distribution of funds in the Cigarette Tax Collection Trust Fund; providing specified purposes for the use of funds that are appropriated out of the trust fund; amending s. 210.201, F.S.; authorizing moneys transferred to the Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute to be used to secure financing to pay costs related to constructing, furnishing, equipping, and maintaining clinical facilities for cancer research; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senators Dean and Gaetz—

**SB 1110**—A bill to be entitled An act relating to commemoration of the 40th anniversary of the end of the United States' involvement in the Vietnam War; creating s. 683.025, F.S.; designating March 25 annually as "Vietnam Veterans' Day"; specifying the date on which the observance of Vietnam Veterans' Day commences; specifying purpose of the observance; creating s. 292.075, F.S.; requiring the Department of Veterans' Affairs to administratively promote and support the efforts of counties, municipalities, and veterans' organizations that voluntarily hold special community events commemorating the 40th anniversary of the end of the United States' involvement in the Vietnam War and subsequent observances of Vietnam Veterans' Day; authorizing solicitation of private donations to fund grants to counties, municipalities, and veterans' organizations that voluntarily hold activities in support of such commemoration; providing for rulemaking of the department; providing for the creation of a special volunteer advisory board to the department for the purpose of reviewing and making recommendations with respect to activities and expenditures of private funds raised in support of such commemoration; amending ss. 320.08056 and 320.08058, F.S.; creating the Vietnam Veterans license plate; establishing an annual use fee for the plate; providing for the distribution of use fees received from the sale of such plates; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Community Affairs; and Budget.

By Senator Detert—

**SB 1112**—A bill to be entitled An act relating to the homestead exemption; authorizing any person to report to a local property appraiser a possible homestead exemption violation under certain circumstances; requiring the property appraiser to certify to the tax collector the name and address of the person who reports a violation; requiring that the tax collector pay a specified maximum reward to the reporting individual after the recovery of any back taxes, interest, or penalties; requiring that funds for such reward be taken from a specified source; providing that a reward may be paid to only one person for each verified violation; providing for the determination of the recipient of a reward if more than one resident reports a violation; requiring associations for condominiums and cooperatives to provide a list of rented units to the property appraiser's office; requiring that the Department of Revenue create a form for reporting such violations and provide such form by specified means; requiring that each submitted form contain certain information; re-

quiring that the property appraiser stamp each submitted form with the current date and time upon receipt; providing an effective date.

—was referred to the Committees on Community Affairs; and Budget.

By Senator Detert—

**SB 1114**—A bill to be entitled An act relating to verification of a prisoner's immigration status; creating s. 907.06, F.S.; requiring the staff of a jail or other detention center or facility to make a reasonable effort to determine the citizenship status of a person charged with specified crimes; requiring the facility staff to make a reasonable effort to verify whether the prisoner is lawfully present in the United States; requiring facility staff to request the assistance of the United States Department of Homeland Security to verify the immigration status of a person within 48 hours after the person is confined in the jail or other detention center or facility; requiring facility staff to notify the United States Department of Homeland Security if the person is not lawfully in the United States; creating, for purposes of a release bond, a rebuttable presumption that a prisoner is at risk of flight if the Department of Homeland Security verifies that the prisoner is a foreign national and is not lawfully present in the United States; requiring that certain agencies adopt written procedures to conform to the act; requiring that the act be construed consistent with applicable federal law; providing an effective date.

—was referred to the Committees on Criminal Justice; Military Affairs, Space, and Domestic Security; Community Affairs; and Budget.

By Senator Storms—

**SB 1116**—A bill to be entitled An act relating to debt buyers; amending s. 559.55, F.S.; providing a definition for “debt buyer”; amending ss. 559.553 and 559.565, F.S.; conforming cross-references; creating s. 559.717, F.S.; providing requirements for debt buyers; requiring a debt buyer to provide a receipt for any payments made by a debtor; providing acts that are prohibited by a debt buyer; providing the requirements for filing an action against a debtor by a debt buyer or for collecting attorney's fees charged for collection services; providing requirements for obtaining a default or summary judgment against a debtor; providing penalties against a debt buyer for violations; providing an effective date.

—was referred to the Committees on Banking and Insurance; Judiciary; Commerce and Tourism; and Budget.

By Senator Bogdanoff—

**SB 1118**—A bill to be entitled An act relating to nursing services; creating s. 395.0192, F.S.; providing definitions; requiring that hospitals establish nurse staffing collaborative councils; providing for membership and responsibilities; requiring the council to produce annual hospital nurse staffing plans; requiring the chief nurse executive to communicate with the council to ensure appropriate implementation of the nurse staffing plan; requiring that the council conduct a semiannual review of the nurse staffing plan; requiring the nurse staffing plan to be reviewed with the nurse personnel and made available to the public upon request; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Norman—

**SB 1120**—A bill to be entitled An act relating to special districts; amending s. 189.4042, F.S.; revising provisions relating to merger and dissolution procedures for special districts; requiring certain merger and dissolution procedures to include referenda; providing an exception; providing that such provisions preempt certain special acts; providing for a local government to assume the indebtedness of, and receive the title to property owned by, a special district under certain circumstances; amending s. 189.4044, F.S.; revising dissolution procedures for special districts declared inactive by a governing body; providing an effective date.

—was referred to the Committees on Community Affairs; and Budget.

By Senator Bennett—

**SB 1122**—A bill to be entitled An act relating to growth management; amending s. 163.3164, F.S.; clarifying the definition of the term “urban service area”; amending s. 163.3171, F.S.; providing legislative intent regarding joint agreements between municipalities and counties; amending s. 163.3177, F.S.; extending the deadline for a local government to comply with the financial feasibility requirement for the capital improvements element of its comprehensive plan; expanding future land use categories to require the consideration of compatibility with adjacent lands, the preservation of recreational and commercial working waterfronts, public schools, and future municipal incorporation; deleting consideration of future planned industrial use, based on certain criteria; eliminating certain criteria specific to coastal counties; reenacting s. 163.31801(5), F.S., relating to the requirement that the government has the burden to prove that the imposition or amount of an impact fee meets the state requirements for legal precedent; providing for retroactive application, and providing legislative intent if a court finds such retroactive application to be unconstitutional; amending s. 163.31801, F.S.; prohibiting a local government from increasing an impact fee or imposing a new impact fee on nonresidential development; providing certain exceptions; providing for future expiration of the prohibition; amending s. 163.3194, F.S.; requiring a governing body to issue a development order or permit to erect, operate, use, or maintain a sign if the sign is located in certain zones; providing definitions; providing circumstances in which a parcel is considered unzoned commercial or industrial; providing criteria under which a development order or permit is in compliance with certain requirements governing the placement of signs; providing that the Department of Transportation may rely on a determination by the local permitting agency; amending s. 163.3246, F.S.; requiring the Office of Program Policy Analysis and Government Accountability to submit a report on the effectiveness of the comprehensive planning certification program; directing the office to obtain input from certain entities in developing the report; providing minimum criteria for the report; providing for future expiration of the local government comprehensive planning certification program; providing for future expiration of certain agreements; creating s. 163.3250, F.S.; creating an autonomous planning program; providing legislative findings that local governments can implement plans without state oversight; providing criteria for autonomous planning; requiring a county or municipality to notify the state land planning agency and provide a map of the designated or modified autonomous planning area; requiring the state land planning agency to provide notice on its website of the name of any jurisdiction that has a designated autonomous planning area; providing the effective date of the plan; providing conditions for automatic approval; requiring a public hearing before an application may be submitted; providing for comments; providing exceptions to the process; requiring jurisdictions to be subject to frequency and timing requirements; providing procedures for the initial hearing on the comprehensive plan amendment for the autonomous planning program; providing procedures for the adoption of the comprehensive plan amendments in autonomous planning areas; providing procedures for administrative challenges to plan amendments for autonomous planning areas; requiring any development within the autonomous planning area to be consistent with the local comprehensive plan; providing that local governments implementing a program using an alternative state review process may elect to file an application under the autonomous planning program; creating s. 163.3260, F.S.; prohibiting a local government from duplicating state regulatory authority; providing effective dates.

—was referred to the Committees on Community Affairs; Environmental Preservation and Conservation; and Budget.

By Senators Montford and Lynn—

**SB 1124**—A bill to be entitled An act relating to public school buses; amending s. 1006.25, F.S.; providing for district school board policies that authorize commercial advertisements on school buses; providing policy requirements relating to reimbursement to the school district, prohibited advertisements, and signage and equipment standards; requiring a school bus to be withdrawn from use under certain circumstances; providing school district indemnification from liability; providing for the remittance and allocation of revenue; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Transportation; and Budget.

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By Senator Margolis—

**SB 1126**—A bill to be entitled An act relating to art in state buildings; amending s. 255.043, F.S.; removing a provision allowing the purchase of works of art produced by artists or craftspeople who are not from Florida; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Budget.

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By Senator Ring—

**SB 1128**—A bill to be entitled An act relating to public retirement plans; amending s. 112.66, F.S.; providing that a local governmental entity may not offer a defined benefit retirement plan to a plan member hired on or after a certain date; providing that local plans must use at least 5 years to determine a plan member's average final compensation for calculating retirement benefits for members hired on or after a certain date; providing a death benefit for the spouse and minor children of a member hired on or after a certain date who is killed in the line of duty; amending s. 121.051, F.S.; providing that a firefighters' or police officers' plan is eligible for participation in the Florida Retirement System, at the discretion of the Department of Management Services; amending s. 175.032, F.S.; clarifying the definition of "compensation" or "salary"; amending s. 175.351, F.S.; revising provisions relating to benefits paid from the premium tax by a municipality or special fire control district that has its own pension plan; amending s. 185.02, F.S.; revising definitions; amending s. 185.35, F.S.; revising provisions relating to benefits paid by a municipality that has its own pension plan; conforming a cross-reference; directing the Department of Financial Services to rate the financial strength of local government defined benefit plans; specifying the factors for assigning the ratings; requiring certain entities to cooperate in providing data for the ratings; requiring the ratings to be posted on the department's website; creating the Task Force on Public Employee Disability Presumptions; providing for appointment and membership; specifying the issues for the task force to address; providing for a report to be submitted to the Governor, Chief Financial Officer, and Legislature by a certain date; providing for expiration; directing the Department of Financial Services to submit a report on the financial health of local government pension plans to the Governor and Legislature by a certain date; specifying the issues the report must address; providing a declaration of important state interest; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Budget.

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By Senator Ring—

**SB 1130**—A bill to be entitled An act relating to retirement; amending s. 110.123, F.S.; conforming provisions to changes made by the act; amending ss. 112.0801, 112.363, and 112.65, F.S.; conforming provisions to changes made by the act; amending s. 121.011, F.S.; requiring employee and employer contributions to the retirement system by a certain date; amending s. 121.021, F.S.; redefining the terms "system," "prior service," "compensation," "average final compensation," "benefit," and "payee"; amending s. 121.051, F.S.; conforming provisions to changes made by the act; clarifying that employer-paid employee contributions are subject to certain taxes; amending s. 121.0515, F.S.; providing that special risk employee contributions be used, if applicable, when purchasing credit for past service; conforming a cross-reference; amending s. 121.052, F.S., relating to the membership class of elected officers; conforming provisions to changes made by the act; providing for a refund of contributions under certain circumstances for an officer who leaves office; prohibiting such refund if an approved qualified domestic relations order is filed against the participant's retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; conforming a cross-reference; amending s. 121.053, F.S.; conforming provisions to changes made by the act; amending s. 121.055, F.S., relating to the Senior Management Service Class; conforming provisions to changes made by the act; prohibiting such refund if an approved qualified domestic relations order is

filed against the participant's retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; requiring employee and employer contributions for participants in the Senior Management Service Optional Annuity Program after a certain date; limiting the payment of benefits before a participant's termination of employment; amending s. 121.071, F.S.; requiring employee and employer contributions to the retirement system beginning on a certain date; providing for a refund of contributions under certain circumstances following termination of employment; prohibiting such refund if an approved qualified domestic relations order is filed against the participant's retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; requiring repayment plus interest of an invalid refund; amending s. 121.081, F.S.; providing requirements for contributions for prior service performed on or after a certain date; amending s. 121.091, F.S.; conforming a cross-reference; delaying the refund or payment of accumulated employee contributions if a member's employment is terminated for any reason other than death or retirement; prohibiting such refund if an approved qualified domestic relations order is filed against the participant's retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; requiring repayment plus interest of an invalid refund; conforming provisions to changes made by the act; revising the age at which a member can elect to participate in the Deferred Retirement Option Program after a certain date; amending s. 121.121, F.S., relating to the purchase of credit service following an authorized leave of absence; requiring that service credit be purchased at the employee and employer contribution rates in effect during the leave of absence; reducing the interest rate on benefits payable under the Deferred Retirement Option Program for employees hired after a certain date; amending s. 121.125, F.S.; conforming provisions to changes made by the act; amending s. 121.35, F.S., relating to the optional retirement program for the State University System; conforming provisions to changes made by the act; requiring employee and employer contributions for participants in the optional retirement program after a certain date; deleting certain requirements governing employer contributions to conform to changes made by the act; conforming cross-references; amending s. 121.4501, F.S.; changing the name of the Public Employee Optional Retirement Program to the Florida Retirement System Investment Plan; limiting the option of enrolling in the State Retirement System's defined benefit program or defined contribution program to public employees employed before a certain date; requiring public employees employed on or after a certain date to enroll in the defined contribution program; requiring that participants in the plan make contributions to the plan based on the employee's membership class; revising definitions; deleting obsolete provisions relating to the 2002 optional transfer of public employees from the defined benefit program to the defined contribution program; conforming provisions to changes made by the act relating to the commencement of retirement benefits; providing for past employees who reenter the system; providing for contribution adjustments as a result of errors or corrections; requiring an employer to receive a credit for excess contributions and to reimburse an employee for excess contributions, subject to certain limitations; providing for a participant to retain his or her prior plan choice following a return to employment; excluding certain retirees from renewed membership in the Florida Retirement System; limiting certain refunds of contributions which exceed the amount that would have accrued had the member remained in the defined benefit program; providing certain requirements and limitations with respect to contributions; clarifying that participant and employer contributions are earmarked for specified purposes; providing duties of the third-party administrator; providing that a participant is vested immediately with respect to employee contributions paid by the participant; providing for the forfeiture of nonvested employer contributions and service credit based on years of service; amending s. 121.4502, F.S.; conforming provisions to changes made by the act; amending s. 121.4503, F.S.; providing for the deposit of participant contributions into the Florida Retirement System Contributions Clearing Trust Fund; amending s. 121.571, F.S.; conforming provisions to changes made by the act; providing requirements for submitting participant contributions; amending s. 121.591, F.S.; limiting the payment of benefits prior to a participant's termination of employment; providing for the forfeiture of nonvested accumulations upon payment of certain vested benefits; providing that the distribution payment method selected by the participant or beneficiary is irrevocable at the time of distribution; prohibiting a distribution of employee contributions if a qualified domestic relations order is filed against the participant's account; providing for the distribution of a

participant's contributions if the participant dies before being vested; providing for the establishment of a death benefits program in the Florida Retirement System Trust Fund and the payment of benefits if the participant dies in the line of duty; conforming provisions to changes made by the act; amending ss. 121.5911 and 121.70, F.S.; conforming provisions to changes made by the act; amending s. 121.71, F.S.; providing for employee contributions to be deducted from the employee's monthly salary, beginning on a specified date, and treated as employer contributions under certain provisions of federal law; clarifying that an employee may not receive such contributions directly; specifying the required employee contribution rates for the membership of each membership class and subclass of the Florida Retirement System; specifying the required employer retirement contribution rates for each membership class and subclass of the system in order to address unfunded actuarial liabilities of the system; requiring an assessment to be imposed if the employee contributions remitted are less than the amount required; providing for the employer to receive a credit for excess contributions remitted; conforming cross-references; amending s. 121.72, F.S.; revising certain requirements governing allocations to optional retirement program participant accounts; conforming cross-references; amending s. 121.73, F.S., relating to disability coverage for participants in the optional retirement program; conforming provisions to changes made by the act; amending s. 121.74, F.S.; conforming provisions to changes made by the act; conforming cross-references; amending s. 121.77, F.S.; conforming provisions to changes made by the act; amending s. 121.78, F.S.; revising certain requirements for administering the payment and distribution of contributions; requiring that certain fees be imposed for delinquent payment; providing that an employer is responsible for recovering any refund provided to an employee in error; revising the terms of an authorized waiver of delinquency; requiring an employer to receive a credit for excess contributions and to reimburse an employee for excess contributions, subject to certain limitations; amending s. 1012.875, F.S.; requiring employee and employer contributions for participants in the State Community College System Optional Retirement Program on a certain date; conforming cross-references; requiring the state actuary to consider additional factors when conducting the annual actuarial study on the Florida Retirement System; providing that the act fulfills an important state interest; providing a directive to the Division of Statutory Revision; providing appropriations to and authorizing additional positions for the Division of Retirement within the Department of Management Services; requiring the State Board of Administration and the Department of Management Services to request a private letter ruling from the United States Internal Revenue Service regarding this act; providing for severability; providing effective dates.

—was referred to the Committees on Governmental Oversight and Accountability; and Budget.

By Senator Margolis—

**SB 1132**—A bill to be entitled An act relating to cooperatives; amending s. 719.103, F.S.; defining the term “immediate family member”; amending s. 719.106, F.S.; prohibiting immediate family members residing in the same unit from serving concurrently on the board of administration of a cooperative; providing an effective date.

—was referred to the Committees on Regulated Industries; Judiciary; and Community Affairs.

**Senate Resolutions 1134-1136**—Not referenced.

By Senators Garcia and Lynn—

**SB 1138**—A bill to be entitled An act relating to public high school students; prohibiting a public high school student from leaving school grounds during his or her designated lunch period; requiring that district school boards implement the prohibition by a specified date; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

By Senator Sachs—

**SB 1140**—A bill to be entitled An act relating to child care facilities; providing a short title; amending s. 402.305, F.S.; requiring vehicles used by child care facilities and large family child care homes to be equipped with an alarm system that prompts the driver to inspect the vehicle for children before exiting the vehicle; requiring the Department of Children and Family Services to adopt rules and maintain a list of approved alarm systems; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Transportation; and Budget.

By Senator Dockery—

**SB 1142**—A bill to be entitled An act relating to adverse possession; amending s. 95.18, F.S.; specifying that occupation and maintenance of property satisfies the requirements for possession for purposes of gaining title to property via adverse possession without color of title; requiring a person seeking property by adverse possession to use a uniform adverse possession return provided by the Department of Revenue; requiring the property appraiser to notify the owner of record of an adverse possession claim; requiring that a person claiming adverse possession attest to the truthfulness of the information provided in the return under penalty of perjury; authorizing the Department of Revenue to adopt emergency rules; requiring that the property appraiser add certain information related to the adverse possession claim to the parcel information on the tax roll and prescribing conditions for removal of that information; prescribing procedures and requirements for adverse possession claims against a portion of an identified parcel or against property to which the property appraiser has not assigned a parcel number; requiring the property appraiser to include a notation of an adverse possession filing in any searchable property database maintained by the property appraiser; amending s. 197.212, F.S.; excluding property subject to adverse possession claims without color of title from provisions authorizing the tax collector not to send a tax notice for minimum tax bills; creating s. 197.3335, F.S.; requiring the tax collector to determine whether a duplicate tax payment is made by an adverse possessor; providing for priority of tax payments made by an owner of record who is subject to an adverse possession claim; providing for a refund of tax payments under certain conditions; providing for retroactive application of certain provisions governing procedures for administering a claim of adverse possession and establishing tax priority for owners of record; providing an effective date.

—was referred to the Committees on Judiciary; Community Affairs; and Budget.

By Senator Margolis—

**SB 1144**—A bill to be entitled An act relating to local government; amending s. 125.35, F.S.; authorizing a board of county commissioners to negotiate the lease of certain real property for a limited period; amending s. 337.29, F.S.; authorizing transfers of right-of-way between local governments by deed; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; and Transportation.

By Senator Sachs—

**SB 1146**—A bill to be entitled An act relating to drug-related overdoses; providing a short title; creating s. 893.21, F.S.; providing that a person acting in good faith who seeks medical assistance for an individual experiencing a drug-related overdose may not be charged, prosecuted, or penalized for specified offenses in certain circumstances; providing that a person who experiences a drug-related overdose and needs medical assistance may not be charged, prosecuted, or penalized for specified offenses in certain circumstances; providing that the protections from prosecution for specified offenses are not grounds for suppression of evidence in other prosecutions; amending s. 921.0026, F.S.; amending mitigating circumstances under which a departure from the lowest permissible criminal sentence is reasonably justified to include circumstances in which a defendant was making a good faith effort

to obtain or provide medical assistance for an individual experiencing a drug-related overdose; providing an effective date.

—was referred to the Committees on Criminal Justice; Health Regulation; Judiciary; and Budget.

By Senators Dean and Lynn—

**SB 1148**—A bill to be entitled An act relating to operating grants for public libraries; amending s. 257.17, F.S.; authorizing the Department of State to waive certain operating-grant eligibility requirements for a specified period of time for a library administrative unit located in a rural area of critical economic concern; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Community Affairs; and Budget.

By Senator Latvala—

**SB 1150**—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 20.24, F.S.; specifying that the executive director of the department serves at the pleasure of the Governor and Cabinet; creating a Division of Motorist Services within the department; eliminating the Division of Driver Licenses and the Division of Motor Vehicles; amending s. 261.03, F.S.; conforming cross-references; amending s. 288.816, F.S., relating to Consul Corps license plates; conforming a reference; amending s. 316.1933, F.S.; authorizing a health care provider to notify a law enforcement agency after detecting the presence of a controlled substance in the blood of a person injured in a motor vehicle crash; amending s. 316.1957, F.S., relating to parking violations; conforming a reference; amending ss. 316.2122, 316.2124, 316.21265, 316.3026, and 316.550, F.S., relating to the operation of low-speed vehicles, motorized disability access vehicles, and all-terrain or utility vehicles, the unlawful operation of motor carriers, and special permits, respectively; conforming cross-references; amending s. 316.545, F.S.; providing for the regulation of apportionable vehicles; amending s. 316.646, F.S.; authorizing the department to suspend the registrations and driving privilege of a person convicted of failing to maintain the required security while operating a private passenger motor vehicle; amending s. 317.0003, F.S., relating to off-highway vehicles; conforming a cross-reference; amending s. 317.0016, F.S.; eliminating a requirement that the department provide expedited service for certificates of repossession; amending s. 318.14, F.S.; clarifying provisions authorizing a person cited for a noncriminal traffic infraction to elect to attend a driver improvement course or enter a plea of nolo contendere; amending s. 318.15, F.S., relating to the suspension of driving privileges; conforming a reference; amending s. 319.14, F.S.; prohibiting a person from knowingly offering for sale, selling, or exchanging certain vehicles unless the department has stamped in a conspicuous place on the certificate of title words stating that the vehicle is a custom vehicle or street rod vehicle; defining the terms “custom vehicle” and “street rod”; amending s. 319.225, F.S.; revising the requirements for the transfer and reassignment forms for vehicles; requiring that a dealer selling a vehicle out of state mail a copy of the power of attorney form to the department; providing for the electronic transfer of a vehicle title; amending s. 319.23, F.S.; authorizing the department to accept a bond if the applicant for a certificate of title is unable to provide a title that assigns the prior owner’s interest in the motor vehicle; providing requirements for the bond and the affidavit; providing for future expiration of the bond; amending s. 319.28, F.S.; eliminating certain requirements that a lienholder obtain a certificate of repossession following repossession of a vehicle or mobile home; amending s. 319.323, F.S., relating to title offices for expedited service; conforming provisions to changes made by the act; amending s. 319.40, F.S.; authorizing the department to issue electronic certificates of title and use electronic mail addresses for purposes of notification; amending s. 320.01, F.S.; deleting an obsolete definition; revising the gross vehicle weight for purposes of defining the terms “apportionable vehicle” and “commercial motor vehicle”; amending s. 320.02, F.S.; providing that an active-duty military member is exempt from the requirement to provide an address on an application for vehicle registration; requiring the application forms for motor vehicle registration and renewal of registration to include language permitting the applicant to make a voluntary contribution to End Hunger in Florida; requiring that the department retain certain records for a specified period; amending s. 320.023, F.S.; authorizing the department to retain certain proceeds derived from the voluntary contribu-

tributions program to cover certain specified costs to the department; amending s. 320.03, F.S., relating to the International Registration Plan; conforming provisions to changes made by the act; amending s. 320.05, F.S.; deleting a provision requiring that the department provide a procedures manual for a fee; clarifying that the creation and maintenance of records by the Division of Motorist Services is not a law enforcement function of agency recordkeeping; amending s. 320.06, F.S.; authorizing the department to conduct a pilot program to evaluate alternative license plate technologies for use on government-owned motor vehicles; specifying that all license plates issued by the department are the property of the state; amending s. 320.061, F.S.; providing that it is a noncriminal traffic infraction to alter a temporary license plate; amending s. 320.071, F.S.; providing for the renewal of registration for an apportionable vehicle that is registered under the International Registration Plan; amending s. 320.0715, F.S.; clarifying provisions requiring the registration of apportionable vehicles under the International Registration Plan; amending s. 320.08, F.S., relating to license taxes; conforming cross-references; amending s. 320.0847, F.S., relating to license plates for mini trucks and low-speed vehicles; conforming cross-references; amending s. 320.0848, F.S.; revising the requirements for the deposit of fee proceeds from temporary disabled parking permits; amending s. 320.275, F.S., relating to the Automobile Dealers Industry Advisory Board; conforming provisions to the elimination of the Division of Motor Vehicles within the department; amending s. 320.771, F.S.; specifying circumstances under which certain dealers may apply for a certificate of title to a recreational vehicle using a manufacturer’s statement of origin; amending s. 320.95, F.S.; authorizing the department to use electronic mail addresses for the purpose of providing license renewal notices; amending s. 321.02, F.S.; designating the director of the Division of Highway Patrol of the department as the Colonel of the Florida Highway Patrol; amending s. 322.02, F.S.; providing for a director of the Division of Motorist Services; amending s. 322.04, F.S.; revising provisions exempting a nonresident from the requirement to obtain a driver’s license under certain circumstances; amending s. 322.051, F.S.; revising requirements by which an applicant for an identification card may prove nonimmigrant classification; clarifying the validity of an identification card based on specified documents; providing for the department to waive the fees for issuing or renewing an identification card to persons who present good cause for such waiver; amending s. 322.058, F.S.; conforming a cross-reference; amending s. 322.065, F.S.; revising the period of expiration that constitutes the offense of driving with an expired driver’s license; amending s. 322.07, F.S.; clarifying the qualifications for obtaining a temporary commercial instruction permit; amending s. 322.08, F.S.; revising requirements by which an applicant for a driver’s license may prove nonimmigrant classification; clarifying the validity of a license based on specified documents; authorizing the department to use electronic mail addresses for the purposes of providing license renewal notices; amending s. 322.081, F.S.; authorizing the department to retain certain proceeds derived from the voluntary contributions made on driver’s license applications to cover certain specified costs to the department; amending s. 322.12, F.S.; deleting provisions requiring a separate examination for applicants for a license to operate a motorcycle; requiring that the motorcycle safety course for a first-time applicant include a final examination; requiring that completion of the course be indicated on the license; amending s. 322.121, F.S.; clarifying provisions authorizing the automatic extension of a license for members of the Armed Forces or their dependents while serving on active duty outside the state; amending s. 322.14, F.S.; deleting a requirement that applicants for specified licenses appear in person for issuance of a color photographic or digital imaged driver’s license; amending s. 322.20, F.S., relating to department records; conforming provisions to changes made by the act; amending s. 322.202, F.S.; clarifying that the Division of Motorist Services is not a law enforcement agency; amending s. 322.21, F.S.; conforming provisions to changes made by the act; authorizing a driver to renew his or her driver’s license during a specified period before the license expiration date; amending s. 322.53, F.S.; revising provisions exempting certain farmers and drivers who operate straight trucks from the requirement to obtain a commercial driver’s license; amending s. 322.54, F.S.; requiring that the weight of a commercial motor vehicle be based on the vehicle’s actual weight under certain circumstances; repealing s. 322.58, F.S., relating to holders of chauffeur’s licenses; amending s. 322.59, F.S.; requiring that the department disqualify a driver holding a commercial driver’s license who fails to comply with specified federal certification requirements; amending s. 322.61, F.S.; providing that the holder of a commercial driver’s license is permanently disqualified from operating a commercial motor vehicle following two violations of specified offenses committed

while operating any vehicle; amending s. 322.64, F.S.; providing that a notice of disqualification from operating a commercial motor vehicle acts as a conviction for purposes of certain federal restrictions imposed for the offense of operating a commercial motor vehicle while under the influence of alcohol; deleting provisions authorizing the department to impose certain alternative restrictions for such offense; amending s. 328.30, F.S.; authorizing the department to issue electronic certificates of title for vessels and use electronic mail addresses for purposes of providing renewal notices; amending s. 413.012, F.S., relating to a prohibition on disclosing confidential records held by the department; conforming provisions to changes made by the act; amending s. 713.78, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Transportation; Governmental Oversight and Accountability; and Budget.

By Senator Simmons—

**SB 1152**—A bill to be entitled An act relating to limited liability companies; amending s. 608.433, F.S.; providing that a charging order against a member's limited liability company interest is the sole and exclusive remedy available to enforce a judgment creditor's unsatisfied judgment against a member or member's assignee; providing an exception for enforcing a judgment creditor's unsatisfied judgment against a judgment debtor or assignee of the judgment debtor of a single-member limited liability company under certain circumstances; providing legislative intent; providing for retroactive application; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Judiciary; and Banking and Insurance.

By Senator Garcia—

**SB 1154**—A bill to be entitled An act relating to slot machine licensee fees; amending s. 551.118, F.S.; removing a requirement that the Division of Pari-mutuel Wagering in the Department of Business and Professional Regulation contract for certain services related to the prevention of compulsive and addictive gambling; removing an annual nonrefundable regulatory fee used to fund the services; amending s. 550.135, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Regulated Industries; and Budget.

By Senator Garcia—

**SB 1156**—A bill to be entitled An act relating to dextromethorphan; providing a short title; amending s. 893.1495, F.S., and reenacting subsection (11), relating to penalties; revising a definition; prohibiting obtaining or delivering to an individual in a retail sale any non-prescription compound, mixture, or preparation containing dextromethorphan or related compounds in excess of specified amounts; regulating retail display of products containing dextromethorphan or related compounds; requiring the training of retail employees; requiring a person who purchases or otherwise acquires a nonprescription compound, mixture, or preparation containing any detectable quantity of dextromethorphan or related compounds to meet specified requirements; providing criminal penalties; providing limited civil immunity for the release of information to law enforcement officers; providing an effective date.

—was referred to the Committees on Health Regulation; Criminal Justice; and Judiciary.

By Senator Garcia—

**SB 1158**—A bill to be entitled An act relating to a teaching agency for home and community-based care; creating s. 430.81, F.S.; providing a definition; authorizing the Agency for Health Care Administration to designate a home health agency as a teaching agency for home and community-based care and to charge a fee for such designation; establishing criteria for qualification; authorizing a teaching agency to be affiliated with an academic research university in the state that meets

certain criteria; authorizing a teaching agency to be affiliated with an academic health center; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Budget.

By Senator Gaetz—

**SB 1160**—A bill to be entitled An act relating to retirement; amending s. 121.091, F.S.; revising provisions relating to employment after retirement; providing that a retiree of a state-administered retirement system who retires on or after a certain date may not be reemployed by an employer that participates in a state-administered retirement system and receive both a salary for employment and retirement benefits; requiring that a retiree who retires on or after a certain date and who is reemployed within 6 calendar months after retirement apply to establish a future retirement date; providing that a retiree who is employed by an employing entity or contractor that does not participate in a state-administered retirement system, but who performs services for an employer that does participate, may not receive retirement benefits during such employment; amending s. 121.591, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Budget.

By Senator Storms—

**SB 1162**—A bill to be entitled An act relating to obscenity; amending s. 847.001, F.S.; revising the definition of the term “sexual conduct” for purposes of provisions relating to obscenity to include certain forms of simulated conduct; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Children, Families, and Elder Affairs.

By Senator Storms—

**SB 1164**—A bill to be entitled An act relating to radio frequency identification tags; requiring retailers to remove radio frequency identification tags upon the purchase of an item or product having a tag; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Commerce and Tourism; and Health Regulation.

By Senators Detert and Lynn—

**SB 1166**—A bill to be entitled An act relating to high school accountability; amending ss. 1003.435 and 1008.34 F.S.; revising provisions relating to the high school equivalency diploma program and the school rating system to include students who receive a high school equivalency diploma in the high school graduation rates for purposes of determining a school's grade; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

By Senators Oelrich and Lynn—

**SB 1168**—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; exempting from public-records requirements the dissemination of a photograph, videotape, or other image of any part of the body of a victim of a sexual offense which is made or broadcast by a video voyeur and which constitutes criminal investigation information or criminal intelligence information in an agency investigation; providing a finding of public necessity; reenacting s. 92.56(1)(a), F.S., relating to judicial proceedings and court records involving sexual offenders, to incorporate the amendment made to s. 119.071, F.S., in a reference thereto; reenacting s. 119.0714(1)(h), F.S., relating to court files and records, to incorporate the amendment made to s. 119.071, F.S., in a reference thereto; reenacting s. 794.024(1), F.S., relating to the unlawful disclosure of identifying information, to incorporate the amendment

made to s. 119.071, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Governmental Oversight and Accountability.

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By Senator Oelrich—

**SB 1170**—A bill to be entitled An act relating to lewd or lascivious offenses; amending and reenacting s. 800.04, F.S.; revising the definition of the term “sexual activity” for purposes of provisions relating to certain lewd or lascivious offenses; providing penalties; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Children, Families, and Elder Affairs.

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By Senator Oelrich—

**SB 1172**—A bill to be entitled An act relating to road and bridge designations; designating Deputy Hal P. Croft and Deputy Ronald Jackson Memorial Highway in Union County and designating Deputy Jack A. Romeis Road in Alachua County; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

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By Senator Siplin—

**SB 1174**—A bill to be entitled An act relating to agricultural-related exemptions to water management requirements; amending s. 373.406, F.S.; revising an exemption for agricultural-related activities to include certain impacts to surface waters and wetlands; providing for retroactive application of the exemption; amending s. 373.407, F.S.; providing exclusive authority to the Department of Agriculture and Consumer Services to determine whether certain activities qualify for an agricultural-related exemption under specified conditions; requiring a specified memorandum of agreement between the department and each water management district; authorizing the department to adopt rules; amending s. 403.927, F.S.; providing an exemption from mitigation requirements for converted agricultural lands under certain conditions; revising the definition of the term “agricultural activities” to include cultivating, fallowing, and leveling and to provide for certain impacts to surface waters and wetlands; providing an effective date.

—was referred to the Committees on Agriculture; Environmental Preservation and Conservation; and Budget.

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By Senator Ring—

**SB 1176**—A bill to be entitled An act relating to high school athletic trainers; amending s. 1012.46, F.S.; encouraging school districts to employ at least one full-time certified athletic trainer at each high school in this state; requiring athletic trainers at high schools to be certified by the Board of Certification of the National Athletic Trainers’ Association; providing a rebuttable presumption that a school district did not negligently employ an athletic trainer for purposes of a civil action for negligence by the athletic trainer if the school district made a good faith effort to comply with the certification requirements for athletic trainers; providing legislative intent; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Judiciary; and Budget.

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By Senator Bogdanoff—

**SB 1178**—A bill to be entitled An act relating to sexual offenders and predators; amending s. 856.022, F.S.; clarifying provisions concerning loitering by certain offenders; amending s. 775.21, F.S.; defining the term “homelessness status” and deleting the definition of the term “transient residence”; conforming provisions to the revisions in terminology made by the act; amending ss. 943.0435, 944.606, 944.607, 985.481, and 985.4815, F.S.; conforming provisions to the revisions in

terminology made by the act; requiring specified monthly registration by homeless offenders and predators; providing that failure to comply with such registration is a violation of specified provisions; providing an effective date.

—was referred to the Committees on Criminal Justice; Children, Families, and Elder Affairs; and Budget.

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By Senator Latvala—

**SB 1180**—A bill to be entitled An act relating to transportation; amending s. 20.23, F.S.; providing that the Florida Statewide Passenger Rail Commission has the primary and exclusive authority to monitor certain designated functions related to passenger rail systems; removing from the Florida Transportation Commission the responsibility and duty to monitor the efficiency, productivity, and management of all publicly funded passenger rail systems in the state; amending s. 316.3025, F.S.; providing a uniform civil penalty for failure to possess a current, prescribed form of medical examiner’s certificate reflecting a driver’s physical qualification to drive a commercial motor vehicle; amending s. 334.03, F.S.; revising and repealing obsolete definitions in the Florida Transportation Code; amending s. 334.044, F.S.; revising the duties and powers of the Department of Transportation; amending s. 334.047, F.S.; repealing an obsolete provision prohibiting the department from establishing a maximum number of miles of urban principal arterial roads within a district or county; amending s. 336.021, F.S.; revising the date when imposition of the ninth-cent fuel tax will be levied; amending s. 336.025, F.S.; revising the date when imposition or rate charges of the local option fuel tax shall be levied; amending s. 337.111, F.S.; providing additional forms of security for the cost of removal of monuments or memorials or modifications to an installation site at highway rest areas; repealing s. 338.001, F.S., relating to the Florida Interstate Highway System Plan; amending s. 338.01, F.S.; clarifying provisions governing the designation and function of limited access facilities; amending s. 338.227, F.S.; replacing a reference to the Florida Intrastate Highway System Plan with a reference to the Strategic Intermodal System Plan to provide for the participation of minority businesses in certain contracts related to the plan; amending ss. 338.2275 and 338.228, F.S., relating to turnpike projects; revising cross-references; amending s. 338.234, F.S.; replacing a reference to the Florida Intrastate Highway System with a reference to the Strategic Intermodal System to exempt certain lessees from payment of commercial rental tax; amending s. 339.62, F.S.; replacing a reference to the Florida Intrastate Highway System with a reference to highway corridors to clarify the components of the Strategic Intermodal System; amending s. 339.63, F.S.; adding military access facilities to the types of facilities included in to the Strategic Intermodal System and the Emerging Strategic Intermodal System; amending s. 339.64, F.S.; deleting provisions creating the Statewide Intermodal Transportation Advisory Council; creating s. 339.65, F.S.; requiring the department to plan and develop for Strategic Intermodal System highway corridors to aid traffic movement around the state; requiring the department to follow specified policy guidelines when developing the corridors; directing the department to establish standards and criteria for functional designs of the highway system; providing for an appropriation for developing the corridor; requiring strategic highway projects to be a part of the department’s adopted work program; amending s. 339.155, F.S.; providing a reference to federally required transportation planning factors; clarifying provisions relating to the Florida Transportation Plan; deleting certain duplicative performance reporting requirements; amending s. 341.840, F.S.; replacing references to the “Florida High Speed Rail Authority” with references to the “Florida Rail Enterprise” for purposes of a tax exemption; amending ss. 163.3180, 288.063, 311.07, 311.09, 316.2122, 316.515, 336.01, 338.222, 341.8225, 479.01, 479.07, and 479.261, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

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By Senator Ring—

**SB 1182**—A bill to be entitled An act relating to the State Board of Administration; amending s. 215.44, F.S.; authorizing the board to invest the assets of a governmental entity in the Local Government Surplus Funds Trust Fund without a trust agreement with that governmental entity; providing that certain investments made by the board under a trust agreement are subject only to the restrictions and lim-



itations contained in the trust agreement; amending s. 215.4755, F.S.; correcting cross-references; clarifying provisions prohibiting certain conflicts of interest by investment advisers and managers retained by the board; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Budget.

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By Senator Siplin—

**SB 1184**—A bill to be entitled An act relating to economic development; amending ss. 288.1081 and 288.1082, F.S.; establishing the Economic Gardening Business Loan Program and the Economic Gardening Technical Assistance Program as permanent programs; revising conditions under which loan agreements may provide borrowers with flexibility in meeting the projected number of jobs; revising the method for calculating the servicing fee payable to a loan administrator; deleting a requirement that certain funds be deposited in the General Revenue Fund; providing for use of the funds; deleting an obsolete provision authorizing the adoption of initial emergency rules; deleting provision prohibiting the award of new loans after a specified date; deleting provision for the reversion of certain unexpended appropriations; deleting provisions for future repeal of the loan program; revising the date upon which the Office of Tourism, Trade, and Economic Development must begin to submit annual reports to the Governor and Legislature on the loan program and technical assistance program; providing for retroactive application of provisions revising the loan program; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Budget.

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**SB 1186**—Withdrawn prior to introduction.

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By Senator Detert—

**SB 1188**—A bill to be entitled An act relating to a financial incentive program for Florida’s entertainment industry; amending s. 288.1254, F.S.; modifying the definition for the term “off-season certified production”; amending s. 288.1258, F.S.; clarifying the calculations made by the Office of Film and Entertainment for its annual sales and use tax report to the Legislature; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Budget.

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By Senator Detert—

**SB 1190**—A bill to be entitled An act relating to driver’s licenses and identification cards; amending ss. 322.14 and 322.051, F.S.; providing for a person’s status as a veteran to be indicated on his or her driver’s license or identification card upon payment of an additional fee and presentation of the person’s Form DD 214; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Transportation; and Budget.

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By Senators Rich and Flores—

**SB 1192**—A bill to be entitled An act relating to public records; amending s. 1004.55, F.S.; providing an exemption from public-records requirements for all records that relate to a client of a regional autism center, the client’s family, or a teacher or other professional who receives the services of a center or participates in center activities; providing for release of specified confidential and exempt information by a center under certain circumstances; providing for review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Governmental Oversight and Accountability.

By Senator Oelrich—

**SB 1194**—A bill to be entitled An act relating to postsecondary education; amending s. 1004.04, F.S.; deleting provisions relating to the College-Level Academic Skills Test (CLAST); amending s. 1004.68, F.S.; deleting provisions relating to the use of test scores for assessment of college-level communication and computation skills; amending s. 1007.01, F.S.; providing legislative intent and requirements relating to articulation; requiring the establishment of the Articulation Coordinating Committee and providing its responsibilities; amending s. 1007.25, F.S.; deleting provisions relating to the CLAST and authorized examinations that demonstrate mastery of certain academic competencies; revising degree requirements; amending ss. 1007.264 and 1007.265, F.S.; deleting provisions that exclude students with intellectual disabilities from eligibility for substitute requirements for admission to or graduation from a public postsecondary educational institution; amending s. 1008.30, F.S.; revising requirements of the common placement testing program; requiring access to approved remedial instruction; requiring rules for remediation opportunities, retesting, and academic competencies; requiring that students be advised of academic requirements, financial aid eligibility, and certain costs; amending s. 1008.345, F.S.; deleting Department of Education duties relating to tests and assessment procedures that measure student achievement of college-level communication and computation skills; amending s. 1008.38, F.S.; revising and conforming provisions relating to the articulation process; amending s. 1009.534, F.S.; revising provisions relating to approval of community service work for eligibility for the Florida Academic Scholars award; amending ss. 467.009 and 1012.56, F.S.; deleting provisions relating to the CLAST; providing an effective date.

—was referred to the Committees on Higher Education; Children, Families, and Elder Affairs; and Budget.

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By Senator Bogdanoff—

**SB 1196**—A bill to be entitled An act relating to construction liens on leased premises; amending s. 713.10, F.S.; specifying circumstances under which the interest of a lessor in leased premises is subject to a construction lien for an improvement made by a lessee; providing that the interest of the lessor is not subject to a lien if certain documents relating to a lessor’s liability for a construction lien are recorded in the official records before the recording of a notice of commencement; providing that a creditor secured by an interest in a parcel or a purchaser for valuable consideration of a parcel may rely on as accurate and correct a recorded lease, memorandum of lease, or notice that prohibits the imposition of a lien on the lessor’s interest in leased premises; providing that a lienor that is materially prejudiced by a willful misstatement of fact in certain recorded documents may have a cause of action for damages against the lessor; providing that a creditor or purchaser of a leased premises may rely on certain recorded documents relating to a lessor’s liability for a lien; authorizing a contractor or lienor to demand a verified copy of a provision of a lease prohibiting the imposition of a construction lien; amending s. 713.13, F.S.; providing that the owner of property for purposes of a notice of commencement is a lessee that contracts for an improvement on leased premises; providing an effective date.

—was referred to the Committees on Regulated Industries; Judiciary; and Commerce and Tourism.

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By Senator Bogdanoff—

**SB 1198**—A bill to be entitled An act relating to the communications services tax; amending s. 202.16, F.S.; providing for a rounding algorithm; allowing dealers to compute the tax using the rounding algorithm for certain aggregated state and local taxes; providing for retroactive application; clarifying that the act does not provide for an assessment of any tax not paid or create a right to a refund of any tax paid before a date certain; amending s. 202.11, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; and Budget.

By Senator Jones—

**SB 1200**—A bill to be entitled An act relating to the treatment of stroke; creating s. 395.3044, F.S.; providing legislative findings; providing definitions; providing duties for the Agency for Health Care Administration with regard to the statewide system for stroke response and treatment; requiring the agency to establish the Stroke Task Force; requiring the Secretary for Health Care Administration to appoint the members of the Stroke Task Force; providing the membership for the task force; requiring the agency and the task force to require specified health care facilities to report certain data; providing additional duties of the task force; requiring primary and comprehensive stroke centers and certain medical facilities to report certain data regarding stroke patients to a private, tier-one research university in this state; requiring that the private, tier-one research university store and maintain the reported data and compiled information and statistics in a registry; providing that the implementation of the registry is contingent upon the availability of funding; requiring the private tier-one research university to use a specified data platform for the registry; requiring the private tier-one research university to coordinate with national voluntary health organizations that are involved in quality improvement of stroke patients; providing for health care information collected in the registry to be released only under certain conditions; requiring the agency and the task force to submit a report to the Governor, the Legislature, and the State Surgeon General; providing that the act does not restrict a hospital from providing services for which it is licensed to provide; requiring the agency to adopt rules; providing an effective date.

—was referred to the Committees on Health Regulation; Higher Education; and Budget.

By Senator Thrasher—

**SCR 1202**—A concurrent resolution establishing the Joint Rules of the Florida Legislature for the 2010-2012 term.

—was referred to the Committee on Rules.

By Senator Thrasher—

**SB 1204**—A bill to be entitled An act relating to joint legislative organizations; repealing ss. 11.511 and 11.513, F.S., relating to the Office of Program Policy Analysis and Government Accountability; repealing s. 11.60, F.S., relating to the Joint Administrative Procedures Committee; repealing s. 11.70, F.S., relating to the Legislative Committee on Intergovernmental Relations; repealing s. 11.80, F.S., relating to the Joint Legislative Committee on Everglades Oversight; repealing ss. 11.901-11.920, F.S., relating to the Florida Government Accountability Act; repealing s. 163.3247(4)(g), F.S., relating to creation of a joint select committee to review the findings and recommendations of the Century Commission for a Sustainable Florida for potential action; repealing ss. 216.0446, 216.163(2)(f), and 282.322, F.S., relating to the review of information technology resources needs and a special monitoring process for designated information resources management projects; repealing s. 350.012, F.S., relating to the Committee on Public Counsel Oversight; repealing ss. 450.201, 450.221, 450.231, and 450.241, F.S., relating to the Legislative Commission on Migrant and Seasonal Labor; amending s. 1.01, F.S.; defining the terms “Administrative Procedures Committee,” “Legislative Auditing Committee,” “Office of Program Policy Analysis and Government Accountability,” and “Office of Economic and Demographic Research,” applicable throughout the statutes; amending s. 11.147, F.S.; revising provisions relating to creation and duties of the Office of Legislative Services; amending s. 11.40, F.S.; revising duties of the Legislative Auditing Committee; conforming provisions to changes made by the act; amending s. 11.51, F.S.; revising provisions relating to creation and duties of the Office of Program Policy Analysis and Government Accountability; amending s. 409.146, F.S.; revising reporting duties of the Department of Children and Family Services with respect to the children and families client and management information system; conforming provisions to changes made by the act; amending s. 1000.01, F.S.; deleting provisions relating to creation of the Council for Education Policy Research and Improvement; amending ss. 11.45, 29.0085, 112.313, 112.3189, 112.324, 125.045, 163.055, 163.3245, 166.021, 189.421, 216.181, 218.32, 218.38, 287.0943, 288.7001, 350.061, 350.0614, 373.026, 373.036, 373.45926, 450.261, and 590.33, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committee on Rules.

By Senator Negrón—

**SB 1206**—A bill to be entitled An act relating to eyewitness identification; providing a short title; defining terms; requiring state, county, municipal, and other law enforcement agencies that conduct lineups to follow certain specified procedures; requiring the eyewitness to sign an acknowledgement that he or she received the instructions about the lineup procedures from the law enforcement agency; providing for an alternative method of identification of suspects; requiring the Criminal Justice Standards and Training Commission to specify and approve any alternative method used for eyewitness identification; requiring that any such method be neutral in its administration; specifying remedies for failing to adhere to the eyewitness identification procedures; requiring the Criminal Justice Standards and Training Commission to create educational materials and conduct training programs on how to conduct lineups in compliance with the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Norman—

**SB 1208**—A bill to be entitled An act relating to school to work; creating s. 1004.995, F.S.; establishing the Postsecondary School-to-Work Program to be administered jointly by the State Board of Education, the Board of Governors, and the Department of Revenue; providing that a student participating in the program earns course credit at a career center, Florida College System institution, or state university while employed as an apprentice with a private business in his or her field of study; providing for a credit against the corporate income tax liability for a participating business; providing limitations; requiring the adoption of rules and regulations; amending s. 220.02, F.S.; adding a new tax credit to the list of corporate income tax credits; amending s. 220.13, F.S.; requiring addition of the amount of the tax credit for determination of adjusted federal income; providing an effective date.

—was referred to the Committees on Higher Education; Commerce and Tourism; and Budget.

By Senator Norman—

**SB 1210**—A bill to be entitled An act relating to counties and municipalities; creating ss. 125.01052 and 166.0498, F.S.; authorizing the board of county commissioners and the governing body of a municipality to pursue the collection of delinquent fees, service charges, fines, or costs through the use of a private attorney or a collection agent; providing that the collection fee, including attorney’s fees, may be added to the balance owed; limiting the amount of the fee; providing an effective date.

—was referred to the Committees on Community Affairs; and Budget.

By Senator Garcia—

**SB 1212**—A bill to be entitled An act relating to motor vehicle operation; prohibiting smoking in a motor vehicle in which certain minors are passengers; providing for secondary enforcement; providing penalties; providing an effective date.

—was referred to the Committees on Health Regulation; Transportation; and Criminal Justice.

By Senator Altman—

**SB 1214**—A bill to be entitled An act relating to school-aged dependents of military personnel; amending s. 1003.05, F.S.; requiring that a school board provide an option to school-aged dependents of military personnel to choose certain schools if the student is reassigned as a result of school rezoning; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Education Pre-K - 12; and Budget.

By Senator Altman—

**SB 1216**—A bill to be entitled An act relating to energy conservation standards; amending s. 553.955, F.S.; providing definitions relating to roofing standards and hardscape standards; amending s. 553.957, F.S.; including roofs and hardscapes within those products that are covered by specific energy conservation standards; amending s. 553.963, F.S.; establishing standards for roof and roofing materials; providing exemptions; establishing standards for hardscapes and materials related to hardscapes; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Budget.

By Senator Altman—

**SJR 1218**—A joint resolution proposing an amendment to Section 3 of Article I of the State Constitution to provide that an individual may not be barred from participating in any public program because of choosing to use public benefits at a religious provider and to delete a prohibition against using public revenues in aid of any church, sect, or religious denomination or any sectarian institution.

—was referred to the Committees on Judiciary; Children, Families, and Elder Affairs; Education Pre-K - 12; and Budget.

By Senator Altman—

**SB 1220**—A bill to be entitled An act relating to concealed weapons or firearms; creating s. 790.062, F.S.; providing for otherwise qualified members and veterans of the United States Armed Forces to be issued a concealed weapon or firearm license regardless of age or United States residency in certain circumstances; providing additional methods for the taking of fingerprints from such license applicants; providing an effective date.

—was referred to the Committees on Criminal Justice; Military Affairs, Space, and Domestic Security; and Budget.

By Senator Norman—

**SB 1222**—A bill to be entitled An act relating to the incremental reduction and future repeal of the corporate income tax; amending s. 220.11, F.S.; providing for incremental reductions of the corporate income tax effective on specified dates; providing for future repeal of part I of chapter 220, F.S., relating to the chapter title, legislative intent, and definitions, and part II of chapter 220, F.S., relating to the imposition and apportionment of the corporate income tax; providing legislative findings, intent, and application; providing for future repeal of part III of chapter 220, F.S., relating to corporate income tax returns, declarations, and records, part IV of chapter 220, F.S., relating to corporate income tax payments, part V of chapter 220, F.S., relating to corporate income tax accounting, part VI of chapter 220, F.S., relating to miscellaneous corporate income tax provisions, part VIII of chapter 220, F.S., relating to the administrative procedures and judicial review applicable to the corporate income tax, part IX of chapter 220, F.S., relating to the penalties and interest applicable to, and the enforcement of, the corporate income tax, and part X of chapter 220, F.S., relating to the criminal offenses and penalties applicable to the corporate income tax; amending s. 220.64, F.S.; providing for the future application to the franchise tax of specified parts and sections of chapter 220, F.S., as those parts and sections existed before their repeal; providing direction to the Division of Statutory Revision to assist legislative committee staff in the preparation of conforming legislation for submission at specified future regular sessions; providing effective dates.

—was referred to the Committees on Commerce and Tourism; and Budget.

By Senator Altman—

**SB 1224**—A bill to be entitled An act relating to corporate tax credits for spaceflight projects; amending s. 14.2015, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to administer corporate income tax credits for spaceflight projects; amending s. 213.053, F.S.; authorizing the Department of Revenue to share information relating to corporate income tax credits for spaceflight projects with the Office of Tourism, Trade, and Economic Development; amending s. 220.02, F.S.; revising the order in which credits against the corporate income tax or franchise tax may be taken to include credits for spaceflight projects; amending s. 220.13, F.S.; requiring that the amount taken as a credit for a spaceflight project be added to taxable income; prohibiting a deduction from taxable income for any net operating loss taken as a credit against corporate income taxes or transferred; amending s. 220.16, F.S.; requiring that the amount of payments received in exchange for transferring a net operating loss for spaceflight projects be allocated to the state; creating s. 220.194, F.S.; providing a short title; providing legislative purpose; defining terms; authorizing a certified spaceflight business to take or transfer corporate income tax credits related to spaceflight projects carried out in this state; specifying tax credit amounts and business eligibility criteria; providing limitations; requiring a business to demonstrate to the satisfaction of the office and the department its eligibility to claim a tax credit; requiring a business to submit an application to the office for approval to earn credits; specifying the required contents of the application; requiring the office to approve or deny an application within 60 days after receipt; specifying the approval process; requiring a spaceflight business to submit an application for certification to the office; specifying the required contents of an application for certification; specifying the approval process; requiring the office to submit a copy of an approved certification to the department; providing procedures for transferring a tax credit to a taxpayer; authorizing the department to perform audits and investigations necessary to verify the accuracy of returns relating to the tax credit; specifying circumstances under which the office may revoke or modify a certification that grants eligibility for tax credits; requiring a certified spaceflight business to file an amended return and pay any required tax within 60 days after receiving notice that previously approved tax credits have been revoked or modified; authorizing the department to assess additional taxes, interest, or penalties; authorizing the office and the department to adopt rules; requiring the office to submit an annual report to the Governor and Legislature regarding the Florida Space Business Incentives Act; providing for application; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Commerce and Tourism; and Budget.

By Senator Joyner—

**SB 1226**—A bill to be entitled An act relating to health care fraud; amending s. 456.0635, F.S.; revising the grounds under which the Department of Health or corresponding board is required to refuse to admit a candidate to an examination and refuse to issue or renew a license, certificate, or registration of a health care practitioner; providing an exception; requiring the department to adopt rules; providing an effective date.

—was referred to the Committees on Health Regulation; Criminal Justice; and Budget.

By Senator Altman—

**SB 1228**—A bill to be entitled An act relating to military spouses; amending s. 456.024, F.S.; providing for issuance of a temporary license to specified health care practitioners who are spouses of active duty members of the Armed Forces under certain circumstances; providing for criminal history checks; providing fees; providing for expiration of a temporary license; providing an effective date.

—was referred to the Committees on Health Regulation; Military Affairs, Space, and Domestic Security; and Budget.

By Senator Fasano—

**SB 1230**—A bill to be entitled An act relating to the Department of Veterans' Affairs; directing the department to provide a plan and financial analysis by a certain date to the Governor, Cabinet, and Legislature regarding the transfer of the operations of the department's veterans' homes to a public corporation; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; and Budget.

By Senator Norman—

**SB 1232**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; specifying a period during which sales of firearms are exempt from the tax; authorizing the Department of Revenue to adopt rules; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

By Senator Smith—

**SB 1234**—A bill to be entitled An act relating to a special assessment for law enforcement services; creating s. 166.212, F.S.; authorizing a municipality to impose a special assessment to fund the costs of providing law enforcement services; making the imposition of the assessment contingent upon adoption of an ordinance approved by the governing body of a municipality and a reduction in the municipality's ad valorem millage; limiting the maximum millage reduction required; specifying the rolled-back rate for the calculation of a future increase in ad valorem millage; providing for the construction of the act as a general law authorizing taxation by a municipality; providing an effective date.

—was referred to the Committees on Community Affairs; Criminal Justice; and Budget.

By Senator Richter—

**SB 1236**—A bill to be entitled An act relating to state revenues; amending s. 220.11, F.S.; providing for the gradual reduction of the corporate income tax rate and the termination of the tax over a specified time; providing that the termination of the corporate income tax applies to taxable years of a taxpayer which begin on or after January 1, 2018; amending s. 210.011, F.S.; providing for the revenue from the cigarette surcharge to be deposited into the General Revenue Fund; amending s. 210.276, F.S.; providing for the revenue from the surcharge on tobacco products to be deposited into the General Revenue Fund; amending s. 213.053, F.S.; authorizing the Department of Revenue to provide the Department of Education and the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation with information relative to tax credits against taxes or surcharges on tobacco products for contributions to eligible nonprofit scholarship-funding organizations; amending s. 220.63, F.S.; providing for the gradual reduction of the rate of the franchise tax imposed on banks and savings associations and the termination of the tax over a specified time; providing that the termination of the franchise tax applies to taxable years of a taxpayer which begin on or after January 1, 2018; amending s. 1002.395, F.S.; specifying additional taxes against which a taxpayer may claim a credit for an eligible contribution to an eligible nonprofit scholarship-funding organization to include taxes or surcharges on tobacco products; authorizing a taxpayer to receive a tax credit against taxes or surcharges on tobacco products for an eligible contribution to an eligible nonprofit scholarship-funding organization; limiting the amount of the tax credit to 90 percent of the taxpayer's tax liability for taxes or surcharges on tobacco products; providing that the distribution of tax revenues to the General Revenue Fund is the only distribution that is reduced as a result of the tax credits; authorizing a taxpayer to exchange unused corporate income tax credits or franchise tax credits for other tax credits under certain circumstances; authorizing a taxpayer to sell or transfer unused corporate income tax credits or franchise tax credits under certain circumstances; authorizing the Department of Revenue to adopt emergency rules relating to the exchange, sale, or transfer of corporate income tax credits or franchise tax credits; authorizing the Department of Revenue to adopt emergency rules to administer the act; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Budget.

By Senator Fasano—

**SB 1238**—A bill to be entitled An act relating to pain-management clinics; amending ss. 458.327 and 459.013, F.S.; providing that persons who are convicted of, enter a plea of guilty or nolo contendere to, or have adjudication withheld for knowingly operating, owning, or managing an unregistered pain-management clinic are subject to the Florida Contraband Forfeiture Act; amending s. 932.701, F.S.; redefining the term "contraband article" as it relates to owning, operating, or managing an unregistered pain-management clinic; amending s. 932.7055, F.S.; requiring that proceeds from a forfeiture involving an unregistered pain-management clinic be deposited in the Crimes Compensation Trust Fund within the Department of Revenue; providing an effective date.

—was referred to the Committees on Health Regulation; Criminal Justice; and Budget.

By Senator Montford—

**SB 1240**—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating exemptions from public-records requirements for the home addresses, telephone numbers, and photographs of emergency medical technicians and paramedics, the home addresses, telephone numbers, photographs, and places of employment of the spouses and children of such emergency medical technicians and paramedics, and the names and locations of schools and day care facilities attended by the children of such emergency medical technicians and paramedics; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Health Regulation; Children, Families, and Elder Affairs; and Governmental Oversight and Accountability.

By Senator Bennett—

**SB 1242**—A bill to be entitled An act relating to taxes; amending s. 212.08, F.S.; expanding exemptions from the sales and use tax on labor and parts and equipment used in aircraft repairs on certain aircraft weighing more than 2,000 pounds; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Transportation; and Budget.

By Senator Norman—

**SB 1244**—A bill to be entitled An act relating to mold-related services; repealing part XVI of chapter 468, F.S., relating to the mold-related services licensing program of the Department of Business and Professional Regulation, the regulation of mold assessment and mold remediation, the examination, licensure, continuing education, and discipline of mold assessors and mold remediators, and the certification of corporations and partnerships offering mold assessment or mold remediation to the public; amending ss. 20.165 and 455.2123, F.S.; conforming provisions; providing an effective date.

—was referred to the Committees on Regulated Industries; and Budget.

By Senator Norman—

**SB 1246**—A bill to be entitled An act relating to farms; prohibiting a person from entering onto a farm or photographing or video recording a farm without the owner's written consent; providing a definition; providing penalties; providing an effective date.

—was referred to the Committees on Agriculture; Criminal Justice; and Budget.

By Senator Norman—

**SB 1248**—A bill to be entitled An act relating to the enforcement of county and municipal codes and ordinances; amending s. 162.12, F.S.; authorizing notices relating to a code violation to be sent by certified mail to the property owner at an address provided to the local government for the purposes of receiving notices or to the registered agent of a corporation for property owned by a corporation; deleting a requirement for such notices to be sent by first-class mail; amending s. 162.21, F.S.; authorizing a code enforcement officer to immediately issue a citation for a code violation if the violator is engaged in violations of an itinerant or transient nature; amending s. 173.01, F.S.; authorizing a municipality or its assignee to foreclose on an abatement assessment lien against real property; amending s. 173.03, F.S.; authorizing a foreclosure for an abatement assessment lien after the conclusion of proceedings to challenge the lien or after a certain period after the lien is recorded in the official records; making grammatical and technical changes; amending s. 173.04, F.S.; authorizing a municipality or its assignee to enforce an abatement assessment lien in circuit court by a bill in chancery that describes the delinquent lien and the lands to which the lien applies; making grammatical and technical changes; creating s. 173.16, F.S.; authorizing a municipality to assign an abatement assessment lien to a private party under certain circumstances; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; and Budget.

By Senator Dockery—

**SB 1250**—A bill to be entitled An act relating to powers and duties of district school boards; amending s. 1001.42, F.S.; deleting a specific requirement for the uniform opening date of schools in the district; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

By Senator Smith—

**SB 1252**—A bill to be entitled An act relating to persons designated to receive insurer notifications; amending s. 627.4133, F.S.; changing the designated person or persons who must be notified by an insurer from the “insured” to the “first-named insured” in situations involving the nonrenewal, renewal premium, cancellation, or termination of workers’ compensation, employer liability, or certain property and casualty insurance coverage; amending s. 627.7277, F.S.; making a conforming change that specifies the “first-named insured” as the person who is to receive notification of a renewal premium; amending s. 627.728, F.S.; changing the designated person or persons who must be notified by an insurer from the “insured” to the “first-named insured” in certain situations involving the cancellation or nonrenewal of motor vehicle insurance coverage; making a conforming change that specifies the “first-named insured’s insurance agent” as a person who is to receive certain notifications relating to motor vehicle insurance coverage; amending s. 627.7281, F.S.; making a conforming change that specifies the “first-named insured” as the person who is to receive notification of cancellation of motor vehicle insurance coverage; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Budget.

By Senator Wise—

**SB 1254**—A bill to be entitled An act relating to auditory-oral education programs; providing a short title; amending s. 1002.20, F.S.; revising provisions relating to public school choice options for parents of public school students to include auditory-oral education programs; creating s. 1002.391, F.S.; providing definitions; providing that a parent of a child who is deaf or hard of hearing may enroll the child in an auditory-oral education program at a school accredited by OPTION Schools, Inc., or at a school in which the supervisor and the majority of faculty are certified as Listening and Spoken Language Specialists by the Alexander Graham Bell Academy for Listening and Spoken Language; providing that the child may continue attending the school and complete the development of listening and spoken language skills if

specified criteria are met; requiring that the level of services be determined by the individual educational plan team or individualized family support plan team; providing that a child is no longer eligible under certain circumstances; amending s. 1011.62, F.S.; revising provisions relating to the funding model for exceptional student education programs to require the Department of Education to review and revise the descriptions of services and supports in the matrix of services used to determine exceptional education cost factors; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

By Senator Altman—

**SB 1256**—A bill to be entitled An act relating to the aviation fuel tax; providing a short title; amending s. 206.9825, F.S.; authorizing a refund of the aviation fuel tax collected on aviation fuel purchased by certain commercial airlines in the state capital under certain circumstances; specifying criteria; providing for application of certain refund administration procedures; prohibiting application in certain municipalities; prohibiting implementation from reducing or otherwise adversely affecting certain aviation grants; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; and Budget.

By Senator Altman—

**SB 1258**—A bill to be entitled An act relating to preference to Florida businesses in procurement of personal property and services; amending s. 283.35, F.S.; requiring an agency, county, municipality, school district, or other political subdivision of the state to provide preferential consideration to a Florida business in awarding competitively bid contracts for printing under certain circumstances; specifying the percentages of preference to be granted; providing nonapplicability; requiring bid, proposal, and reply documents from out-of-state vendors to include agreements to hire Florida residents; amending s. 287.084, F.S.; requiring an agency, county, municipality, school district, or other political subdivision of the state to provide preferential consideration to a Florida business in awarding competitively bid contracts to purchase personal property or construction services; specifying the percentage of preference to be granted; providing nonapplicability; requiring bid, proposal, and reply documents from out-of-state vendors to include agreements to hire residents of the state; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Community Affairs; Governmental Oversight and Accountability; and Budget.

By Senator Bennett—

**SR 1260**—A resolution opposing the plan by the United States Environmental Protection Agency to regulate greenhouse gases under the Clean Air Act.

—was referred to the Committee on Environmental Preservation and Conservation.

By Senator Fasano—

**SB 1262**—A bill to be entitled An act relating to disability awareness; amending s. 1003.4205, F.S.; requiring that district school boards provide disability history and awareness instruction in all K-12 public schools; requiring certification of individuals delivering the instruction; requiring that the Governor’s Commission on Disabilities initiate a study on disability awareness training to be conducted by a private nonprofit entity; providing requirements for the study and submission of findings to the commission; requiring that the commission oversee a statewide disability awareness training provider and certification program; providing program components to include requirements for approval of providers and certification of individuals to provide disability awareness instruction; providing for the payment of certain fees; requiring that the commission promote disability awareness training in all

public entities in the state; requiring rulemaking; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Children, Families, and Elder Affairs; and Budget.

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By Senator Wise—

**SB 1264**—A bill to be entitled An act relating to background screening; amending s. 413.20, F.S.; defining the term “direct service provider” for purposes of services provided to the Division of Vocational Rehabilitation of the Department of Education; amending s. 413.208, F.S.; requiring direct service providers to participate in level 2 background screening as a condition for certification to serve clients of vocational rehabilitation; specifying which persons are required to undergo level 2 screening; prohibiting persons for whom background screening is required from having contact with any vulnerable person until the screening process is completed; providing for a temporary exception; requiring rescreening during a specified time period; identifying the criminal offenses the commission of which disqualifies a person from serving vulnerable persons; requiring that the cost of criminal history records checks be borne by the direct service provider or the person seeking certification; authorizing the division to deny, suspend, reject, terminate, or revoke the certification or other agreement of a person who fails to meet the criteria of the screening; requiring the division to provide written notification to the person affected if the division has reasonable cause to believe that grounds for denial or termination of certification exist; providing penalties if an employer does not dismiss an employee who is not compliant with the screening standards; creating s. 413.2105, F.S.; directing the division to require all employees and applicants for employment to undergo personnel screening and security background investigations using the level 2 standards; creating s. 1001.12, F.S.; requiring all employees of the Department of Education, and applicants being considered for employment at the department, to submit to level 2 background screening; authorizing a temporary exemption from disqualification; amending s. 1005.02, F.S.; defining the term “admissions staff” for purposes of provisions governing nonpublic postsecondary educational institutions; amending s. 1005.22, F.S.; requiring the Commission for Independent Education to investigate the criminal justice information history for certain persons applying for a license or license renewal; amending s. 1005.31, F.S.; requiring the commission to establish minimum standards required of admissions staff employed by institutions under the commission’s jurisdiction; amending s. 1005.38, F.S.; authorizing the commission to deny or fail to reissue a license if the person has been a party to a civil action or has been convicted of, or entered a plea of guilty or nolo contendere to, certain crimes; creating s. 1012.02, F.S.; directing the Department of Education to require level 2 background screening for all personnel of all contractors required to perform contractual duties at a facility of the department, local school board facility, or any other location, if the person will have access to confidential data or have contact with vulnerable persons; requiring contractors to meet specified criteria; requiring that contractors be rescreened every 5 years; authorizing the department to deny, suspend, terminate, or revoke the license of a contractor who fails to satisfy the screening standards; authorizing the department to grant a temporary disqualification exemption under limited circumstances; amending ss. 413.407 and 744.1083, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Higher Education; and Budget.

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By Senator Altman—

**SB 1266**—A bill to be entitled An act relating to early voting; amending s. 101.657, F.S.; authorizing the supervisor of elections to designate any public university, college, or community college facility as an early voting site; requiring that the supervisor for each county establish early voting hours; providing a minimum and a maximum daily duration for such early voting hours; providing an effective date.

—was referred to the Committees on Rules Subcommittee on Ethics and Elections; Rules; Higher Education; and Budget.

By Senator Oelrich—

**SB 1268**—A bill to be entitled An act relating to pharmacy; amending s. 465.189, F.S.; revising the types of vaccines that pharmacists are authorized to administer; authorizing pharmacy interns to administer the vaccines under certain circumstances; authorizing pharmacists and pharmacy interns to administer an epinephrine autoinjection under certain circumstances; revising protocol requirements for vaccine administration and the duties of supervising physicians under such protocols; revising requirements for training programs, certifications, and patient records related to vaccine administration; amending s. 465.003, F.S.; revising terminology to conform to changes made by the act; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

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By Senator Dean—

**SB 1270**—A bill to be entitled An act relating to the alternative high school course credit pilot project; amending s. 1002.375, F.S.; revising the pilot project to include up to five school districts beginning in the 2012-2013 school year; conforming dates for implementation; providing additional courses for which alternative credit may be earned and end-of-course assessments approved; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

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By Senator Wise—

**SB 1272**—A bill to be entitled An act relating to educational services in Department of Juvenile Justice programs; amending s. 1003.52, F.S.; providing that adult education general education development test preparation courses and adult education career education courses may be offered as electives to high school level students who have a transition plan that does not include a return to public high school; providing an effective date.

—was referred to the Committees on Criminal Justice; Higher Education; and Budget.

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By Senator Montford—

**SB 1274**—A bill to be entitled An act relating to testimony given by children; amending s. 92.55, F.S.; authorizing a court to use registered service or therapy animals to aid children in giving testimony in legal proceedings when appropriate; requiring the court to consider certain factors before permitting such testimony; requiring that such registered service or therapy animals be evaluated and registered according to national standards; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Criminal Justice.

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By Senator Alexander—

**SJR 1276**—A joint resolution proposing an amendment to Section 4 of Article IV of the State Constitution, relating to the duties of the Chief Financial Officer.

—was referred to the Committees on Governmental Oversight and Accountability; Budget; and Rules.

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By Senator Storms—

**SB 1278**—A bill to be entitled An act relating to the College-Level Academic Skills Test; amending s. 1007.25, F.S.; deleting provisions relating to the College-Level Academic Skills Test (CLAST) and authorized examinations that demonstrate mastery of certain academic competencies; amending ss. 467.009, 1004.04, 1008.30, 1008.38, and 1012.56, F.S.; deleting provisions relating to the CLAST; providing an effective date.

—was referred to the Committees on Higher Education; and Budget.

By Senator Dockery—

**SB 1280**—A bill to be entitled An act relating to inspectors general; transferring, renumbering, and amending s. 14.32, F.S.; providing that the Chief Inspector General is responsible for all agency inspectors general, including cabinet agencies and the Executive Office of the Governor; housing the office of the Chief Inspector General in the Executive Office of the Governor for administrative purposes only; providing that the Chief Inspector General reports to the Cabinet; amending s. 20.055, F.S.; revising definitions; providing that the term “state agencies” includes cabinet agencies; updating a cross-reference; requiring the agency inspector general to keep the Chief Inspector General informed of any agency fraud, abuses, or deficiencies and authorizing the inspector general to not inform the agency head under certain circumstances; requiring agency inspectors general to be appointed by the Chief Inspector General, subject to the consent of the agency head; revising the procedures for removing an inspector general; providing that an agency inspector general may be removed only by the Chief Inspector General in consultation with the agency head; requiring an agency inspector general to be certified by the Association of Inspectors General; requiring agency inspectors general to establish internal and external procedures for receiving complaints from employees and the public; authorizing the inspector general of the Department of Law Enforcement to bypass informing the executive director of the Department of Law Enforcement under certain circumstances; requiring agency inspectors general to provide final reports on investigations, an annual report, and certain written complaints to the Chief Inspector General; requiring one or more investigators within the agency inspector general’s office to be a sworn law enforcement officer; amending s. 112.3187, F.S.; revising the definition of “independent contractor” under the state Whistle-blower’s Act to include anyone who receives public funds; conforming provisions to changes made by the act; amending s. 112.3189, F.S.; conforming provisions to changes made by the act; permitting employees disclosing information resulting in a recovery of funds to receive a percent of any funds recovered; amending ss. 112.31895 and 112.31901, F.S.; conforming provisions to changes made by the act; creating s. 287.0565, F.S.; directing the Department of Management Services to adopt criteria for the use of purchasing cards; requiring the agency inspector general to conduct periodic audits of the use of such cards; amending s. 14.2015, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Budget.

By Senator Storms—

**SB 1282**—A bill to be entitled An act relating to women’s health; creating the Gynecologic and Ovarian Cancer Education and Awareness Act; amending s. 381.04015, F.S.; establishing the Gynecologic and Ovarian Cancer Awareness Program in the Department of Health; requiring the Department of Health to disseminate information on gynecologic cancers to the extent that funding is available; directing the department to establish a Women’s Gynecologic Cancer Information Advisory Council; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Bennett—

**SB 1284**—A bill to be entitled An act relating to biodiesel; amending s. 206.02, F.S.; exempting certain biodiesel manufacturers from bonding requirements; amending s. 206.874, F.S.; exempting certain biodiesel manufacturers from specific taxes on diesel fuel; amending s. 206.9925, F.S.; redefining the term “pollutants” to exclude certain biodiesel; amending s. 526.202, F.S.; providing legislative findings regarding the sale of diesel containing biodiesel; amending s. 526.203, F.S.; defining the terms “biodiesel” and “diesel fuel”; establishing standards for the amount of biodiesel that must be contained in diesel fuel; requiring dealers and wholesalers to provide certified fuel analyses upon the department’s request; providing an exemption from regulation; requiring reports to the Department of Revenue; amending s. 526.205, F.S.; providing for certain persons to apply for extensions to comply with the

requirements of the act; amending s. 581.083, F.S.; exempting nonnative plants cultivated for fuel production from specific restrictions on such cultivation; providing an effective date.

—was referred to the Committees on Agriculture; Commerce and Tourism; and Budget.

By Senator Bennett—

**SB 1286**—A bill to be entitled An act relating to state reciprocity in workers’ compensation claims; amending s. 440.09, F.S.; providing extraterritorial coverage; exempting certain employees working in this state and the employers of such employees from the Workers’ Compensation Law of this state under certain conditions; providing requirements for the establishment of prima facie evidence that the employer carries certain workers’ compensation insurance; requiring courts to take judicial notice of the construction of certain laws; authorizing the Division of Workers’ Compensation to enter into agreements with the workers’ compensation agencies of other states for certain purposes; providing requirements for claims made in other states; providing criteria for employees to be considered temporarily in a state; providing application; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Budget.

By Senator Hays—

**SB 1288**—A bill to be entitled An act relating to nonjudicial foreclosure of commercial real property; creating chapter 52, F.S., relating to nonjudicial foreclosure of commercial real property; providing a short title; providing for applicability of provisions; providing definitions; providing for appointment of a trustee; providing for trustee initiation of foreclosure of mortgage liens; providing for objections by obligors; providing for redemption of property; providing requirements to be met before encumbered property may be sold by trustee; providing for notice of default and intent to foreclose; providing for notice and manner of sale; specifying the effect of a sale; providing for a trustee’s certificate of compliance and deed; providing for disposition of sale proceeds; providing that provisions concerning the trustee foreclosure procedure do not impair or otherwise affect a foreclosing creditor’s right to bring a judicial foreclosure action; providing for civil actions against foreclosing creditors for material failure to follow trustee foreclosure procedures; providing criminal penalties for a trustee who intentionally violates provisions concerning the trustee foreclosure procedure; providing for construction; providing for application of provisions to mortgage liens existing prior to the effective date of this act for which a foreclosure proceeding has not commenced; providing a directive to the Division of Statutory Revision; providing an effective date.

—was referred to the Committees on Banking and Insurance; Judiciary; and Budget.

By Senator Dean—

**SB 1290**—A bill to be entitled An act relating to pest control; amending s. 482.051, F.S.; providing rule changes that allow operators to provide certain emergency notice to the Department of Agriculture and Consumer Services by facsimile or electronic means; amending s. 482.071, F.S.; increasing the minimum bodily injury and property damage insurance coverage required for pest control businesses; creating s. 482.072, F.S.; providing for licensure by the department of pest control customer contact centers; providing application requirements; providing for fees, licensure renewal, penalties, licensure expiration, and transfer of licenses; creating s. 482.157, F.S.; providing for the certification of commercial wildlife trappers; providing certification requirements, examination requirements, and fees; limiting the scope of work permitted by certificate holders; clarifying that licensees and certificateholders who practice accepted pest control methods are immune from liability for violating laws prohibiting cruelty to animals; amending s. 482.226, F.S.; increasing the minimum financial responsibility requirements for licensees that perform certain inspections; providing an effective date.

—was referred to the Committees on Agriculture; Environmental Preservation and Conservation; and Budget.

By Senator Alexander—

**SB 1292**—A bill to be entitled An act relating to the Chief Financial Officer; providing definitions; requiring governmental and statutorily created entities to maintain their financial data in accordance with the requirements of the Chief Financial Officer by a certain date; requiring the Chief Financial Officer to adopt charts of accounts that meet certain requirements by a certain date; requiring a review and update of the charts of accounts; requiring the Chief Financial Officer to adopt certain procedures relating to the charts of accounts; providing a declaration of important state interest; providing a contingent effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Budget.

By Senator Hays—

**SB 1294**—A bill to be entitled An act relating to application of foreign law; creating s. 45.022, F.S.; defining the term “foreign law, legal code, or system”; specifying the public policy of this state in applying the choice of a foreign law, legal code, or system under certain circumstances; declaring that certain decisions rendered under such laws, codes, or systems are void; declaring that certain choice of venue or forum provisions in a contract are void; declaring that claims of forum non conveniens or related claims must be denied under certain circumstances; providing that the act does not apply to a corporation, partnership, or other form of business association; clarifying that the public policies expressed in the act apply to violations of a natural person’s constitutional rights; providing for severability; providing an effective date.

—was referred to the Committees on Judiciary; Commerce and Tourism; and Children, Families, and Elder Affairs.

By Senator Detert—

**SB 1296**—A bill to be entitled An act relating to enterprise zones; amending s. 290.016, F.S.; advancing the date of the expiration of the Florida Enterprise Zone Act; amending ss. 14.2015, 159.27, 159.803, 163.2514, 163.2517, 163.2523, 163.336, 163.345, 163.457, 163.503, 163.522, 195.099, 196.012, 196.1995, 212.08, 213.053, 220.02, 220.03, 220.191, 288.018, 288.047, 288.063, 288.0655, 288.0659, 288.095, 288.1045, 288.106, 288.1089, 288.11621, 288.1175, 288.99, 376.84, 403.973, 624.509, 624.5091, and 624.5105, F.S.; deleting references to enterprise zones; deleting provisions relating to the designation and administration of enterprise zones, tax credits, tax refunds, or economic development incentives available to businesses within an enterprise zone, to conform to the expiration of the Florida Enterprise Zone Act; conforming cross-references; amending s. 163.521, F.S.; providing for the expiration of a provision to conform to the expiration of the Florida Enterprise Zone Act which authorizes the governing body of a county or municipality containing an enterprise zone to make a funding request for capital improvements relating to crime prevention under certain circumstances; amending s. 377.809, F.S.; deleting an obsolete provision requiring the Office of Tourism, Trade, and Economic Development to submit a report relating to the energy economic zone pilot program; repealing s. 196.095, F.S., relating to an exemption from property taxes for certain child care facilities operating in an enterprise zone; repealing s. 196.1996, F.S., which provided that a board of county commissioners or the governing body of a municipality does not need to reenact certain ordinances or resolutions to grant economic development ad valorem tax exemptions in certain enterprise zones; repealing s. 290.06561, F.S., which directed the Office of Tourism, Trade, and Economic Development to designate a catalyst site as a rural enterprise zone; repealing s. 379.2353, F.S., relating to the designation of enterprise zones in communities adversely affected by the constitutional limit on the use of nets to harvest marine species; providing that the repeal of the Florida Enterprise Zone Act does not affect the availability of certain tax credits or tax refunds; providing effective dates.

—was referred to the Committees on Commerce and Tourism; Community Affairs; and Budget.

**SR 1298**—Not referenced.

By Senator Storms—

**SB 1300**—A bill to be entitled An act relating to juvenile civil citations; amending s. 985.12, F.S.; requiring that a juvenile civil citation program be established at the local level with the concurrence of the chief judge of the circuit and other designated persons; authorizing a law enforcement agency, the Department of Juvenile Justice, a juvenile assessment center, the county or municipality, or an entity selected by the county or municipality to operate the program; authorizing a law enforcement officer, upon making contact with a juvenile who admits to having committed a misdemeanor, to require participation in intervention services based upon an assessment of the needs of the juvenile; restricting eligibility of participants for the civil citation program to first-time misdemeanor offenders; requiring the issuing agency to report on the outcome to the Department of Juvenile Justice at the conclusion of a youth’s civil citation program; providing that the issuance of a civil citation is not considered a referral to the department; requiring the department to develop a civil citation model that includes intervention services and is based upon proven civil citation programs within the state; requiring a law enforcement officer to issue a report if the child has not complied with the requirements of the civil citation program; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Sachs—

**SB 1302**—A bill to be entitled An act relating to enterprise zones for bioscience clusters; creating s. 290.0155, F.S.; authorizing a county to designate an area for a bioscience cluster of a specified size; providing conditions of eligibility to designate the bioscience cluster; defining the term “major bioscience cluster”; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Higher Education; and Budget.

By Senator Sachs—

**SB 1304**—A bill to be entitled An act relating to concealed weapons and firearms; amending s. 790.06, F.S.; increasing the penalty imposed for carrying a concealed weapon or firearm into certain prohibited places; reenacting s. 790.115(2)(e), F.S., relating to the possession of weapons or firearms on school property, to incorporate the amendment to s. 790.06, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

By Senator Dockery—

**SB 1306**—A bill to be entitled An act relating to physical education in the public schools; amending s. 1003.455, F.S.; deleting provisions relating to requirements for physical education instruction for students in grades 6 through 8, reporting and auditing of student enrollment in physical education instruction, and criteria for a student’s waiver from participation in physical education instruction; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

By Senator Wise—

**SB 1308**—A bill to be entitled An act relating to fire prevention and control; amending s. 633.027, F.S.; defining the term “light-frame truss-type construction”; providing for the installation of signs or symbols at entrances to certain areas; providing an effective date.

—was referred to the Committees on Banking and Insurance; Community Affairs; and Budget.



By Senator Oelrich—

**SB 1310**—A bill to be entitled An act relating to 911 emergency telephone calls; amending s. 365.171, F.S.; providing that any release of an oral recording of a 911 emergency transmission be digitally modified in order to protect the personal identity of any person requesting emergency services or reporting an emergency; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Budget.

By Senator Siplin—

**SB 1312**—A bill to be entitled An act relating to school nutrition programs; providing a short title; transferring and reassigning functions and responsibilities, including records, personnel, property, and unexpended balances of appropriations and other resources for the administration of the school food and nutrition programs from the Department of Education to the Department of Agriculture and Consumer Services; creating s. 570.98, F.S.; requiring the Department of Agriculture and Consumer Services to conduct, supervise, and administer all school food and nutrition programs; requiring the department to cooperate fully with the United States Government; authorizing the department to act as agent of, or contract with, the Federal Government, other state agencies, or any county or municipal government for the administration of the school food and nutrition programs; transferring, renumbering, and amending s. 1006.06, F.S., relating to school food service programs; conforming provisions to changes made by the act; deleting obsolete provisions; transferring, renumbering, and amending ss. 1006.0606 and 1010.77, F.S., relating to the children's summer nutrition program and the Food and Nutrition Services Trust Fund, respectively; conforming provisions to changes made by the act; deleting obsolete provisions; amending s. 1003.453, F.S.; requiring each school district to send an updated copy of its wellness policy and physical education policy to the Department of Education and the Department of Agriculture and Consumer Services; deleting obsolete provisions; requiring certain information to be accessible from the website of the Department of Agriculture and Consumer Services; providing an effective date.

—was referred to the Committees on Agriculture; Education Pre-K-12; and Budget.

By Senator Alexander—

**SB 1314**—A bill to be entitled An act relating to state financial matters; amending s. 216.011, F.S.; defining the term “lease or lease-purchase of equipment”; amending s. 216.023, F.S.; requiring that specified information relating to certain contracts be included in an agency's legislative budget request; amending s. 216.311, F.S.; defining the terms “contract” and “agreement”; prohibiting an agency or branch of state government, without legislative authority, from contracting to pay liquidated damages or early termination fees resulting from the breach or early termination of a contract or agreement, from paying interest because of insufficient budget authority to pay an obligation in the current year, from obligating the state to make future payments to cover unpaid payments, or from granting a party the right to collect fees or other revenues from nonparties; providing certain exemptions; prohibiting an agency from entering into certain leases without authorization by the Legislature or the Legislative Budget Commission; creating s. 216.312, F.S.; requiring the executive and judicial branch to notify the Governor and Legislature before entering into contracts containing certain provisions relating to expenditures; transferring, renumbering, and amending s. 287.0582, F.S.; requiring a state contract to identify the appropriation that funds a contract; expanding the statement that must be included in state contracts to include grounds for terminating the contract based on budget deficits; requiring the judicial branch to include the statement in its contracts; requiring the agency head, executive director, or chief judge, as appropriate, or a designated senior management employee, to sign contracts that exceed a specified amount; requiring the agency head, executive director, or chief judge to review certain contracts and certify compliance with ch. 216, F.S.; requiring contracts exceeding a specified amount to require written acceptance or rejection of contract deliverables; providing that contracts in violation of these provisions are null and void; providing penalties; amending s. 287.063, F.S.; prohibiting certain lease or deferred-payment purchases

by state agencies unless expressly authorized by the Legislature in the General Appropriations Act or by the Legislative Budget Commission; amending s. 287.064, F.S.; prohibiting certain master equipment financing agreements unless expressly authorized by the Legislature in the General Appropriations Act or by the Legislative Budget Commission; amending ss. 376.3075 and 403.1837, F.S.; conforming cross-references; providing for application; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Budget.

By Senator Detert—

**SB 1316**—A bill to be entitled An act relating to loan processing; amending s. 494.001, F.S.; creating and revising definitions; deleting a redundant definition; amending s. 494.0011, F.S.; specifying rulemaking powers; amending s. 494.0025, F.S.; prohibiting acting as an in-house loan processor without a specified license; amending s. 494.0018, F.S.; revising cross-references; amending s. 494.00255, F.S.; including licensed in-house loan processors in disciplinary provisions; creating s. 494.00314, F.S.; providing for licensing of in-house loan processors; providing application requirements; specifying when an application is considered received; providing grounds for denial of licensure; prohibiting issuance of licenses to applicants who have had certain licenses revoked in other jurisdictions; providing for annulment of licenses in certain circumstances; requiring annual renewal of licenses; providing that an in-house loan processor may not act as a loan originator without a loan originator license; providing that a licensed loan originator may act as an in-house loan processor without an in-house loan processor license; creating s. 494.00315, F.S.; providing for license renewals; amending s. 494.00312, F.S.; providing that a loan originator license may not be issued to a person who has had an in-house loan processor license or its equivalent revoked in any jurisdiction; amending s. 494.00331, F.S.; providing that specified provisions do not apply to a licensed contract loan processor who has on file with the office a declaration of intent to act solely as a contract loan processor; deleting a definition; providing restrictions on employment of persons licensed as in-house loan processors; amending s. 494.0035, F.S.; clarifying provisions concerning operation of mortgage brokers; amending s. 494.0038, F.S.; revising provisions relating to disclosure of settlement charges and loan terms; amending s. 494.00421, F.S.; revising an agency reference; amending s. 494.00611, F.S.; providing that a mortgage lender license may not be issued to an applicant if any of the applicant's control persons has ever had an in-house loan processor license or its equivalent revoked in any jurisdiction; amending s. 494.00612, F.S.; requiring that in order to renew a mortgage lender license a mortgage lender must authorize the Nationwide Mortgage Licensing System and Registry to obtain an independent credit report on each of the mortgage lender's control persons; amending s. 494.0067, F.S.; requiring each mortgage lender to submit certain reports to the registry as may be required; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Budget.

By Senator Benacquisto—

**SB 1318**—A bill to be entitled An act relating to the tax refund program for qualified target industry businesses; amending s. 288.106, F.S.; revising the criteria for the determination of target industry businesses by the Office of Tourism, Trade, and Economic Development; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Budget.

By Senator Wise—

**SB 1320**—A bill to be entitled An act relating to physical education instruction in public schools; amending s. 1003.455, F.S.; requiring that physical education instruction for students in kindergarten through grade 5 be delivered by a certified physical education teacher; requiring that each school district implement such requirement during a 5-year period; requiring that each district school board provide 150 minutes of physical education instruction by a certified physical education teacher

each week for students in grade 6 who are enrolled in a school that contains one or more elementary grades so that on any day during which physical education instruction is conducted there are at least 30 consecutive minutes per day; providing that a student may have the physical education requirement waived for a period of one semester each year under certain circumstances; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

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By Senator Jones—

**SB 1322**—A bill to be entitled An act relating to legislative lobbying expenditures; amending s. 11.045, F.S.; redefining the term “expenditure”; specifying that the term “expenditure” does not include the salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with the recipient’s employment, business, or service; specifying that the term does not include awards or certificates given in recognition of the recipient’s public, civic, charitable, or professional service; specifying that the term does not include honorary membership in a service or fraternal organization presented merely as a courtesy by such organization, transportation provided to a member or employee by an agency in relation to officially approved governmental business, or expenditures provided directly or indirectly by a state, regional, or national organization that promotes the exchange of ideas between, or the professional development of, members or employees, and whose membership is primarily composed of elected or appointed public officials or staff; defining the term “relative”; prohibiting a member or employee of the Legislature from soliciting or accepting an expenditure from a lobbyist or principal when the expenditure is for the personal benefit of the member, an employee, or others; establishing new expenditure limitations; creating exceptions for legitimate expenditures made in connection with the member’s public office or the employee’s public employment or for an expenditure from a relative; requiring each legislative member or employee receiving certain expenditures to file quarterly expenditure statements with the committee charged with the responsibility for ethical conduct of lobbyists; prescribing the contents of the quarterly report; authorizing additional reporting requirements by legislative rule; providing criteria for the valuation of expenditures; amending ss. 112.3148 and 112.3149, F.S.; revising provisions to conform to changes made by the act; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Rules; and Budget.

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By Senator Bennett—

**SB 1324**—A bill to be entitled An act relating to disposition of human remains; creating part VII of ch. 497, F.S., consisting of ss. 497.701, 497.703, 497.705, 497.707, 497.709, 497.711, 497.713, 497.715, 497.717, 497.719, and 497.721, F.S.; amending s. 497.005, F.S.; defining terms relating to the disposition of human remains; transferring, renumbering, and amending ss. 406.50, 406.51, 406.52, 406.53, 406.55, 406.56, 406.57, 406.58, 406.59, 406.60, and 406.61, F.S.; revising procedures for the reporting and disposition of unclaimed remains; prohibiting certain uses or dispositions of the remains of deceased persons whose identities are not known; requiring that local governmental contracts for the final disposition of unclaimed remains comply with certain federal regulations; conforming provisions to changes in terminology; conforming a cross-reference; revising procedures for the anatomical board’s retention of human remains before their use; providing for claims by, and the release of human remains to, legally authorized persons after payment of certain expenses; authorizing county ordinances or resolutions for the final disposition of the unclaimed remains of indigent persons; limiting the liability of certain licensed persons for cremating or burying human remains under certain circumstances; revising exceptions from requirements for notice to the anatomical board of the death of indigent persons; deleting a requirement that the Department of Health assess fees for the burial of certain bodies; conforming provisions to changes in terminology; conforming terminology of provisions prohibiting the selling or buying of human remains or the transmitting or conveying of such remains outside the state; providing penalties; conforming terminology relating to procedures for the conveyance of plastinated human remains into or out of the state; repealing s. 406.54, F.S., relating to claims of bodies after delivery to the anatomical board; providing an effective date.

—was referred to the Committees on Health Regulation; Higher Education; Community Affairs; and Budget.

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By Senator Garcia—

**SB 1326**—A bill to be entitled An act relating to copy machines, photocopiers, fax machines, and printers; creating s. 501.974, F.S.; providing definitions; requiring vendors of copy machines to provide specified warning labels and information with machines; requiring rule-making; requiring vendors of copy machines to erase or otherwise render non-recreatable any records stored in the memory of a machine; providing requirements for financial institutions concerning copy machines; prohibiting specified acts concerning required warning labels; providing for recovery of punitive damages for certain violations; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Banking and Insurance; and Budget.

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By Senator Hays—

**SB 1328**—A bill to be entitled An act relating to public records; amending s. 119.0712, F.S.; providing a public-records exemption for certain information provided to the Office of Financial Regulation on a confidential basis or developed as part of a multiagency investigation; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Banking and Insurance; Criminal Justice; and Governmental Oversight and Accountability.

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By Senator Hays—

**SB 1330**—A bill to be entitled An act relating to residential property insurance; amending s. 627.062, F.S.; authorizing an insurer to use a rate for residential property insurance that differs from its otherwise filed rate after a specified date under certain circumstances; requiring such rates to be filed with the Office of Insurance Regulation; specifying the maximum difference between rates; limiting the percentage rate increase as to any individual policyholder; preserving the authority of the office to disapprove a rate for inadequacy or discrimination; providing a future revision that requires the inclusion of a statement in certain rate filings relating to the insurer’s current or future ability to cover a specified probable maximum loss, requires certification by an insurer relating to the insurer’s ability to actually cover a specified probable maximum loss, voids certain rates if an insurer fails to maintain sufficient funds or coverages to cover a specified probable maximum loss, and requires refunds and credits to insureds if an insurer fails to maintain sufficient funds or coverages to cover a specified probable maximum loss; amending s. 627.351, F.S.; requiring insurance agents to obtain a signed acknowledgment from an applicant for coverage and certain policyholders relating to surcharges and assessments potentially being imposed under a Citizens Property Insurance Corporation policy; requiring Citizens Property Insurance Corporation to maintain signed acknowledgments for a specified time; specifying that a signed acknowledgment creates an evidentiary presumption relating to an insured’s liability for surcharges and assessments; creating s. 627.7031, F.S.; specifying circumstances under which an insurer may offer or renew residential property insurance policies subject to the amendments to s. 627.062, F.S., contained in this act; prohibiting such insurers from procuring coverage under the temporary increase in coverage limits option; requiring specific notices to applicant or insured; requiring Citizens Property Insurance Corporation premium estimates and signed acknowledgments; specifying ineligible types of policies; providing a future revision requiring an insurer to have certain resources to cover a specified probable maximum loss in order to offer or renew policies at certain rates; providing effective dates.

—was referred to the Committees on Banking and Insurance; and Budget.

By Senator Richter—

**SB 1332**—A bill to be entitled An act relating to financial institutions; amending s. 655.005, F.S.; revising definitions relating to the financial institutions codes; amending s. 655.013, F.S.; updating a reference; creating s. 655.03855, F.S.; authorizing the office to appoint provisional directors or executive officers; specifying the rights, qualifications, and reporting requirements of such directors and officers; clarifying the liability of such directors and officers and of the office; amending s. 655.044, F.S.; specifying which accounting practice must be followed by financial institutions; amending s. 655.045, F.S.; authorizing the office to conduct additional examinations of financial institutions if warranted; providing for the use of certain examination methods; authorizing the office to enter into agreements with other regulatory agencies relating to examinations; amending s. 655.41, F.S.; revising definitions to conform provisions to changes made by the act; amending s. 655.411, F.S.; revising the criteria for approval of a financial entity's plan of conversion; amending s. 655.414, F.S.; providing for the transfer of assets from a federally chartered or out-of-state chartered institution; amending ss. 655.416, 655.417, and 655.418, F.S.; conforming provisions to changes made by the act; amending s. 655.4185, F.S.; revising provisions relating to emergency actions that may be taken for a failing financial institution; authorizing the office to provide prior approval for the chartering of an entity acquiring control of a failing institution; amending s. 655.419, F.S.; deleting a provision relating to actions conducted outside this state; amending s. 655.947, F.S.; conforming a cross-reference; amending s. 657.038, F.S.; specifying the loan factors that must be considered when computing a person's total obligations for purposes of extending credit; amending s. 657.042, F.S.; revising criteria that limit a credit union's investment of funds; requiring a credit union to establish policies and procedures for evaluating risk; amending ss. 657.063 and 657.064, F.S.; conforming cross-references; amending s. 658.12, F.S.; conforming a cross-reference; deleting a provision relating to the application of definitions in the financial institutions codes; repealing s. 658.20(3), F.S., relating to applications for prior approval of officers or directors; amending s. 658.28, F.S.; providing additional limitations on acquiring or controlling another bank; repealing s. 658.295, F.S., relating to the Florida Interstate Banking Act; amending s. 658.2953, F.S.; revising and updating provisions relating to Florida bank mergers with out-of-state banks; deleting legislative intent; repealing s. 658.296, F.S., relating to the control of deposit-taking institutions; amending s. 658.36, F.S.; authorizing the office to approve a special stock offering plan under certain circumstances; amending s. 658.41, F.S.; clarifying that state laws do not restrict the right of a state bank or trust company to merge with an out-of-state bank; amending s. 658.48, F.S.; revising provisions relating to bank loans; specifying the process for computing the liabilities of a person seeking a loan; amending s. 658.53, F.S.; deleting a provision providing that unpaid proceeds of sales are used to evaluate the adequacy of a bank's capital; repealing ss. 658.65, 665.013(33), and 667.003(35), F.S., relating to remote financial service units; amending s. 658.67, F.S.; updating provisions relating to the investment powers of a bank or trust company; requiring banks and trust companies to establish procedures for evaluating risk; amending ss. 288.772, 288.99, 440.12, 440.20, 445.051, 489.503, 501.005, 501.165, 624.605, 626.321, 626.730, and 626.9885, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Budget.

By Senator Bogdanoff—

**SB 1334**—A bill to be entitled An act relating to the sentencing of inmates; amending s. 893.135, F.S.; removing all references to imposing mandatory minimum sentences for defendants convicted of trafficking in controlled substances; defining the terms “department” and “nonviolent offender”; directing the Department of Corrections to develop and administer a reentry program for nonviolent offenders which is intended to divert nonviolent offenders from long periods of incarceration; requiring that the program include intensive substance abuse treatment and rehabilitative programming; providing for the minimum length of service in the program; providing that any portion of a sentence before placement in the program does not count as progress toward program completion; specifying eligibility criteria for a nonviolent offender to be placed into the reentry program; directing the department to notify the nonviolent offender's sentencing court to obtain approval before the nonviolent offender is placed into the reentry program; requiring the

department to notify the state attorney; authorizing the state attorney to file objections to placing the offender into the reentry program within a specified period; requiring the sentencing court to notify the department of the court's decision to approve or disapprove the requested placement within a specified period; providing that failure of the court to timely notify the department of the court's decision constitutes approval by the requested placement; requiring the nonviolent offender to undergo an education assessment and a full substance abuse assessment if admitted into the reentry program; requiring the offender to be enrolled in an adult education program in specified circumstances; requiring that assessments of vocational skills and future career education be provided to the offender; requiring that certain reevaluation be made periodically; providing that the nonviolent offender is subject to the disciplinary rules of the department; specifying the reasons for which the offender may be terminated from the reentry program; requiring that the department submit a report to the sentencing court at least 30 days before the nonviolent offender is scheduled to complete the reentry program; setting forth the issues to be addressed in the report; requiring the sentencing court to issue an order modifying the sentence imposed and place the nonviolent offender on drug offender probation if the nonviolent offender's performance is satisfactory; authorizing the court to revoke probation and impose the original sentence in specified circumstances; authorizing the court to require the offender to complete a post-adjudicatory drug court program in specified circumstances; directing the department to implement the reentry program using available resources; requiring the department to submit an annual report to the Governor and Legislature detailing the extent of implementation of the reentry program and outlining future goals and recommendations; authorizing the department to enter into contracts with qualified individuals, agencies, or corporations for services for the reentry program; authorizing the department to impose administrative or protective confinement as necessary; authorizing the department to establish a system of incentives within the reentry program which the department may use to promote participation in rehabilitative programs and the orderly operation of institutions and facilities; directing the department to develop a system for tracking recidivism, including, but not limited to, rearrests and recommitment of nonviolent offenders who successfully complete the reentry program, and to report on recidivism in its annual report of the program; directing the department to adopt rules; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Bennett—

**SB 1336**—A bill to be entitled An act relating to renewable energy; amending s. 366.92, F.S.; revising legislative intent regarding the state's renewable energy policy; deleting provisions requiring that the Public Service Commission adopt rules for a renewable portfolio standard; requiring that the commission provide for full cost recovery; allowing each provider of Florida renewable energy resources to build such resources, convert existing fossil fuel generation plants to a renewable energy resource, or purchase renewable energy to recover costs; providing that each provider may purchase or produce renewable energy having capacity or energy costs in excess of the fully avoided cost limitations; specifying such cost limitations; providing for renewable attributes; providing guidelines for full cost recovery; providing caveats; amending s. 366.8255, F.S.; revising the definition of the term “environmental laws or regulations” to include any federal or state law requiring an electric utility to provide electricity from renewable energy; revising the definition of the term “environmental compliance costs” to conform to changes made by the act; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Communications, Energy, and Public Utilities; and Budget.

By Senator Detert—

**SB 1338**—A bill to be entitled An act relating to contraception; creating ss. 627.64194, 627.6614, and 641.31099, F.S.; providing definitions; requiring that health insurers and health maintenance organizations provide health insurance coverage for prescription contraceptive drugs and devices approved by the Food and Drug Administration and other related outpatient contraceptive services; prohibiting a health in-

insurance policy or health maintenance contract from imposing an unusual copayment, coinsurance requirement, deductible, or waiting requirement for obtaining prescription contraceptive drugs or devices or certain outpatient contraceptive services; authorizing a religious employer to request, and requiring a health insurance policy or health maintenance contract to grant, an exclusion from coverage under the policy or contract for coverage for prescription contraceptive drugs or devices or certain outpatient contraceptive services under certain conditions; providing for application of the act; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Regulation; and Budget.

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By Senator Bogdanoff—

**SB 1340**—A bill to be entitled An act relating to continuing care retirement communities; providing for the provision of continuing care at-home; amending s. 651.011, F.S.; revising definitions; defining “continuing care at-home,” “nursing care,” “personal services,” and “shelter”; amending s. 651.012, F.S.; conforming a cross-reference; amending s. 651.013, F.S.; conforming provisions to changes made by the act; amending s. 651.021, F.S., relating to the requirement for certificates of authority; requiring that a person in the business of issuing continuing care at-home contracts obtain a certificate of authority from the Office of Financial Regulation; requiring written approval from the Office of Financial Regulation for a 20 percent or more expansion in the number of continuing care at-home contracts; providing that an actuarial study may be substituted for a feasibility study in specified circumstances; amending s. 651.022, F.S., relating to provisional certificates of authority; conforming provisions to changes made by the act; amending s. 651.023, F.S., relating an application for a certificate of authority; specifying the content of the feasibility study that is included in the application for a certificate; requiring the same minimum reservation requirements for continuing care at-home contracts as continuing care contracts; requiring that a certain amount of the entrance fee collected for contracts resulting from an expansion be placed in an escrow account or on deposit with the department; amending ss. 651.033, 651.035, and 651.055, F.S.; requiring a facility to provide proof of compliance with a residency contract; conforming provisions to changes made by the act; creating s. 651.057, F.S.; providing additional requirements for continuing care at-home contracts; requiring that a provider who wishes to offer continuing care at-home contracts submit certain additional documents to the office; requiring that the provider comply with certain requirements; limiting the number of continuing care and continuing care at-home contracts at a facility based on the types of units at the facility; amending ss. 651.071, 651.091, 651.106, 651.114, 651.118, 651.121, and 651.125, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Banking and Insurance; and Budget.

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By Senator Flores—

**SB 1342**—A bill to be entitled An act relating to school district financing; amending s. 1010.49, F.S.; authorizing a district school board issuing a bond to determine the schedule of maturities of the bond; deleting a provision requiring payments on a bond to be as nearly equal as practicable; extending to 30 years from 20 years the maximum permissible term of a bond that may be issued by a district school board without approval from the Department of Education; providing that a bond is callable at such times and upon such terms as prescribed by the district school board; deleting a requirement for bonds bearing an interest rate greater than a certain rate to be callable after a certain period of time after issuance; amending s. 1011.73, F.S.; extending the maximum duration of the levy of ad valorem taxes approved by the electors of a school district for the operating expenses of the district; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

By Senator Flores—

**SM 1344**—A memorial to the Congress of the United States, urging Congress to direct the Department of the Treasury to withdraw a proposed rule on deposits made by nonresident aliens and to examine the proposed rule for negative effects.

—was referred to the Committees on Banking and Insurance; and Judiciary.

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By the Committee on Commerce and Tourism—

**SB 1346**—A bill to be entitled An act relating to obsolete references and programs; amending s. 14.2015, F.S.; removing an obsolete reference to the Department of Commerce; amending s. 20.18, F.S.; updating a reference to the Department of Commerce to refer instead to the Office of Tourism, Trade, and Economic Development; amending s. 45.031, F.S.; removing an obsolete reference to the Department of Labor and Employment Security; amending s. 69.041, F.S.; removing an obsolete reference to the Department of Labor and Employment Security; amending s. 112.044, F.S.; removing obsolete references to the Department of Labor and Employment Security; amending s. 212.20, F.S.; conforming cross-references to changes made by the act; amending s. 252.85, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 252.87, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 252.937, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 287.09431, F.S.; updating references to the Department of Labor and Employment Security; amending s. 287.09451, F.S.; removing references to the Department of Labor and Employment Security; amending s. 287.0947, F.S.; removing a reference to the Department of Labor and Employment Security; correcting a cross-reference; amending s. 288.021, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 288.035, F.S.; removing a reference to the Department of Commerce; repealing s. 288.038, F.S., relating to agreements of the Department of Labor and Employment Security with county tax collectors; repealing s. 288.1162, F.S., relating to professional sports franchises; repealing s. 288.1168, F.S., relating to the professional golf hall of fame facility; amending s. 288.1229, F.S.; removing a reference to the Department of Commerce; amending s. 288.1169, F.S.; updating references to the Department of Commerce; amending s. 331.369, F.S.; updating references to the Workforce Development Board of Enterprise Florida, Inc.; amending s. 377.711, F.S.; removing a reference to the Department of Commerce; providing for standard compact provisions regarding recommendations by the Southern States Energy Board; amending s. 377.712, F.S.; clarifying provisions governing participation in the compact by the state and its agencies; amending s. 409.2576, F.S.; removing references to the Department of Labor and Employment Security; amending s. 414.24, F.S.; updating references to the Department of Labor and Employment Security; amending s. 414.40, F.S.; updating provisions governing the Stop Inmate Fraud Program; updating a reference to the Department of Labor and Employment Security; amending s. 440.385, F.S.; updating a reference to the Department of Labor and Employment Security; removing obsolete provisions; amending s. 440.49, F.S.; removing a reference to the Department of Labor and Employment Security; removing obsolete provisions; repealing s. 446.60, F.S., relating to assistance for displaced local exchange telecommunications company workers; amending s. 450.161, F.S.; updating a reference to the Division of Jobs and Benefits; amending s. 464.203, F.S.; updating a reference to the Enterprise Florida Jobs and Education Partnership Grant; amending s. 489.1455, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 489.5335, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 553.62, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 597.006, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 944.012, F.S.; updating a reference to the Florida State Employment Service; amending s. 944.708, F.S.; removing a reference to the Agency for Workforce Innovation; repealing ss. 255.551-255.563, F.S., relating to the asbestos management program; repealing s. 469.003(2)(b), F.S., relating to obsolete provisions governing the licensure of asbestos surveyors; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Children, Families, and Elder Affairs; and Governmental Oversight and Accountability.

By Senator Bogdanoff—

**SB 1348**—A bill to be entitled An act relating to community residential homes; amending s. 419.001, F.S., relating to site selection of community residential homes; revising the definition of the term “community residential home”; defining the term “sober house transitional living home”; requiring supervision of the residents of such a home; requiring that a sober house transitional living home comply with standards of occupancy set by the local government; providing restrictions on the provision of onsite substance abuse treatment services; limiting applicability; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Community Affairs; and Budget.

By Senator Flores—

**SB 1350**—A bill to be entitled An act relating to the use, prevention, and reduction of seclusion and restraint on students with disabilities in public schools; amending s. 1003.573, F.S.; providing definitions; providing legislative findings and intent; requiring that manual physical restraint be used only in an emergency when there is an imminent risk of serious injury or death to the student or others; providing restrictions on the use of manual physical restraint; prohibiting the use of manual physical restraint by school personnel who are not certified to use district-approved methods for applying restraint techniques; prohibiting specified techniques; requiring that each school medically evaluate a student after the student is manually physically restrained; prohibiting school personnel from placing a student in seclusion; providing requirements for the use of time-out; requiring that a school district report its training and certification procedures to the Department of Education; requiring that school personnel be trained and certified in the use of manual physical restraint; requiring that a school review a student’s functional behavior assessment and positive behavioral intervention plan under certain circumstances; requiring that parents be notified of a school district’s policies regarding the use of manual physical restraint; requiring that each school send a redacted copy of any incident report or other documentation to the Advocacy Center for Persons with Disabilities, Inc.; requiring that the department make available on its website data of manual physical restraint by a specified date; requiring that each school district develop policies and procedures addressing the allowable use of manual physical restraint, personnel authorized to use such restraint, training procedures, analysis of data trends, and the reduction of the use of manual physical restraint; requiring that any revisions to a school district’s policies and procedures be filed with the bureau chief of the Bureau of Exceptional Education and Student Services by a specified date; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Health Regulation; Children, Families, and Elder Affairs; and Budget.

By Senator Hays—

**SB 1352**—A bill to be entitled An act relating to public works projects; providing definitions; prohibiting the state and political subdivisions that contract for the construction, maintenance, repair, or improvement of public works from imposing certain conditions on certain contractors, subcontractors, or material suppliers or carriers; providing an exception; prohibiting the state and political subdivisions from restricting qualified bidders from submitting bids, being awarded any bid or contract, or performing work on a public works project; amending s. 120.57, F.S.; revising written protest filing requirements for protests to contract solicitations or awards; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Budget.

By Senator Storms—

**SB 1354**—A bill to be entitled An act relating to juvenile detention; amending s. 985.245, F.S.; requiring that points be added to a supervised child’s risk assessment instrument if the child is charged with committing a new offense; amending s. 985.255, F.S.; providing for the continued detention of a child who is alleged to have violated the conditions of home detention; broadening the criteria under which a child may be detained for failing to appear for any hearing; providing that a child who violates the conditions of home detention may be placed in secure detention; extending the time that a child may be held in advance of the next scheduled court hearing; deleting the provision specifying that failure to provide a current or valid address is not an adequate excuse for nonappearance; amending s. 985.26, F.S.; extending the period that a child may be held under a special detention order; clarifying that a child may not be held in detention for more than 15 days pending disposition; amending s. 985.27, F.S.; providing that a child who is awaiting placement and who is arrested for any offense may be placed in secure detention; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Jones—

**SB 1356**—A bill to be entitled An act relating to Medicaid eligibility; amending s. 409.902, F.S.; providing asset transfer limitations for determination of eligibility for certain nursing facility services under the Medicaid program after a specified date; requiring the Department of Children and Family Services to take certain actions if a community spouse refuses to make certain resources available to the institutional spouse; authorizing the Agency for Health Care Administration to recover certain Medicaid expenses; authorizing the Department of Children and Family Services to adopt rules; providing an effective date.

—was referred to the Committees on Health Regulation; Children, Families, and Elder Affairs; and Budget.

By Senator Oelrich—

**SB 1358**—A bill to be entitled An act relating to emergency medical services; amending s. 381.0034, F.S.; deleting the requirement for emergency medical technicians and paramedics to complete an educational course on the modes of transmission, infection control procedures, clinical management, and prevention of human immunodeficiency virus and acquired immune deficiency syndrome; amending s. 401.23, F.S.; redefining the term “basic life support” for purposes of the Raymond H. Alexander, M.D., Emergency Medical Transportation Services Act; amending s. 401.24, F.S.; requiring the Department of Health to develop and revise a comprehensive state plan every 5 years for basic and advanced life support services, the emergency medical services grants program, trauma centers, the injury control program, and medical disaster preparedness; amending s. 401.27, F.S.; revising the requirements for certification or recertification as an emergency medical technician or paramedic; revising the requirements for certification for an out-of-state trained emergency medical technician or paramedic; amending s. 401.2701, F.S.; revising requirements for an institution that conducts an approved program for the education of emergency medical technicians and paramedics; revising the requirements that students must meet in order to receive a certificate of completion from an approved program; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Bogdanoff—

**SB 1360**—A bill to be entitled An act relating to employee leasing companies; amending s. 468.525, F.S.; revising the provisions that must be addressed in a contractual arrangement between an employee leasing company and a client company; providing that the leasing company is responsible for securing workers’ compensation coverage; requiring the client company to identify its contractors and nonleased employees to the leasing company within specified times; requiring the leasing company to give 10 days’ notice before terminating an agreement; amending s. 468.529, F.S.; providing that during the term of a leasing agreement,

employees who are directly hired by a client company or who commence work for the client company become employees of the leasing company; requiring a client company that directly hires nonleased employees to have an in-force workers' compensation policy covering these employees; providing that a leasing company's insurer may recover from a client company a certain amount of premium and administrative costs in specified circumstances; providing that responsibility for workers' compensation for leased employees is by way of a multiple coordinated policy issued to the leasing company; providing for calculating the client company's workers' compensation premium while under contract with a leasing company; requiring a leasing company to notify employees if the leasing agreement is terminated; specifying when coverage ends after the agreement is terminated; requiring a leasing company to provide the client company with records relating to its loss experience during the term of the agreement; amending s. 627.192, F.S.; deleting provisions relating to an employee leasing company and its workers' compensation insurer, to conform; providing an effective date.

—was referred to the Committees on Regulated Industries; Commerce and Tourism; and Budget.

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By Senator Garcia—

**SB 1362**—A bill to be entitled An act relating to Department of Children and Family Services employees; amending s. 402.35, F.S.; removing a provision prohibiting a federal, state, county, or municipal officer from serving as an employee of the department; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Governmental Oversight and Accountability; and Judiciary.

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By Senator Storms—

**SB 1364**—A bill to be entitled An act relating to child support; amending s. 61.13, F.S.; providing that certain affidavits in Title IV-D child support cases need not allege default in payments; amending s. 61.13016, F.S.; providing for the payment of paternity or support obligations by income deduction to avoid the suspension of the obligor's driver's license and motor vehicle registration; amending s. 322.058, F.S.; providing for the reinstatement of such privileges; amending s. 409.256, F.S.; permitting a caregiver to state in an affidavit or written declaration information regarding a child's putative father in order to enable the Department of Revenue to commence an administrative proceeding to establish paternity or paternity and child support; amending s. 409.2563, F.S.; extending the time within which a parent from whom support is being sought pursuant to a proposed administrative support order may request an informal conference to discuss the proposed order; requiring that such request be in writing only; providing effective dates.

—was referred to the Committees on Judiciary; Transportation; Children, Families, and Elder Affairs; and Budget.

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By Senator Storms—

**SB 1366**—A bill to be entitled An act relating to administrative monitoring of providers of child welfare services, mental health services, and substance abuse services; amending s. 402.7306, F.S.; requiring the Department of Children and Family Services, the Department of Health, the Agency for Persons with Disabilities, the Agency for Health Care Administration, community-based care lead agencies, managing entities, and their contracted monitoring agents to adopt certain revised policies for the administrative monitoring of providers of child welfare services, mental health services, and substance abuse services; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Budget.

By Senator Smith—

**SB 1368**—A bill to be entitled An act relating to the allocation and expenditure of state lottery revenues; amending s. 24.121, F.S.; requiring a portion of Powerball net revenues to be allocated to voluntary prekindergarten education programs; providing for the use of funds; providing an effective date.

—was referred to the Committees on Regulated Industries; Education Pre-K - 12; and Budget.

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By Senator Smith—

**SB 1370**—A bill to be entitled An act relating to health education; amending s. 1003.428, F.S.; providing for a mandatory one-half credit in health education, independent of physical education credit requirements, for high school students; providing a waiver for students who request to take and successfully complete a health education assessment developed by the Department of Education; reducing the number of credits in elective courses; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Health Regulation; and Budget.

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By Senator Storms—

**SB 1372**—A bill to be entitled An act relating to administration of medication for persons with developmental disabilities; amending s. 393.506, F.S.; requiring a registered nurse or physician to assess and validate a direct service provider's competency in all routes of medication administration at an onsite setting with an actual client; providing an exception; providing an effective date.

—was referred to the Committees on Health Regulation; Children, Families, and Elder Affairs; and Budget.

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By Senator Smith—

**SB 1374**—A bill to be entitled An act relating to the Black Business Loan Program; amending s. 288.7102, F.S.; revising the recertification and audit periods for eligible recipients of the Black Business Loan Program; authorizing existing recipients to submit certain information to the Office of Tourism, Trade, and Economic Development instead of financial audits under certain circumstances; authorizing recipients to redress audit findings within a specified period; providing term of and revising requirements for funding agreements between recipients and the office; revising the entities with whom the office must consult before adopting rules; revising limits on the use of funds for technical support to black business enterprises and direct administrative costs; conforming provisions; reenacting s. 288.7094(2), F.S., relating to black business investment corporations, to incorporate changes made by the act in a reference thereto; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Budget.

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By Senator Smith—

**SB 1376**—A bill to be entitled An act relating to employment of felons; creating s. 220.194, F.S.; providing a credit against the corporate income tax for employment of a person previously convicted of a felony; providing requirements to receive the credit; providing exceptions for certain felons; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Criminal Justice; and Budget.

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By Senator Latvala—

**SB 1378**—A bill to be entitled An act relating to economic development; creating the "Small Business Jobs Creation Act"; amending s. 288.061, F.S.; reducing the time period within which Enterprise Florida, Inc., and the Office of Tourism, Trade, and Economic Development must

review and evaluate applications for state economic development incentives; amending s. 288.106, F.S.; reducing the time period within which a local government must adopt a resolution to provide financial support to a business applying to participate in the tax refund program for qualified target industry businesses; reducing the time period within which a business applying to participate in the tax refund program for qualified target industry must sign an agreement with the Office of Tourism, Trade, and Economic Development; authorizing an extension of time for a business to sign an agreement under certain circumstances; requiring the Office of Tourism, Trade, and Economic Development to return the unused portion of local financial support within a specified time period if a business fails to timely sign an agreement or no longer participates in the tax refund program; waiving the requirements for certain businesses to pay a minimum average wage during the first year of an agreement under the tax refund program for qualified target industry businesses; amending s. 400.462, F.S.; redefining the term “remuneration” as used in the Home Health Services Act to exclude certain items having a value less than a specified threshold amount; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Community Affairs; and Budget.

By Senator Smith—

**SB 1380**—A bill to be entitled An act relating to operation of the Florida Lottery; amending s. 20.317, F.S.; clarifying provisions concerning regional offices; amending s. 24.101, F.S.; revising a reference; amending s. 24.102, F.S.; revising provisions relating to legislative intent to provide for the operation of the lottery under a management agreement; amending s. 24.103, F.S.; providing and revising definitions; amending s. 24.104, F.S.; revising provisions concerning the purpose of the Department of the Lottery to permit contracting with a manager; amending s. 24.105, F.S.; revising provisions concerning the powers and duties of the department to allow for possible contracting with a manager; providing that specified provisions apply regardless of whether the department contracts with a manager; deleting obsolete provisions; amending s. 24.107, F.S.; revising provisions concerning advertising and promotion of lottery games to conform to the possibility of contracting with a manager; amending ss. 24.108 and 24.111, F.S.; revising provisions relating to security and contracts for goods or services to conform to the possibility of contracting with a manager; creating s. 24.1115, F.S.; providing for a management agreement under which the lottery may be operated; providing intent; providing definitions; limiting the duration of such an agreement; providing limits on the games that may be offered under such an agreement; providing for an initial payment to the department by a manager; providing for royalty payments by a manager; providing for collection of funds in excess of a specified baseline growth percentage to ensure that the manager does not earn excess revenue; providing requirements for the contents of a management agreement; requiring periodic investigations of the performance by a manager; providing for a request for qualifications process to select a manager; providing for the public records status of specified materials under existing exemptions; providing for negotiations between one or more offerors and the department; providing selection procedures; requiring a public hearing; providing for designation of a manager by the Governor; providing for status of debt offering by the manager; providing for a time period for challenges to designation of a manager; providing department powers; prohibiting the department from selling the authorization to manage the lottery; providing that there is no prohibition on additional legislative authorization of other forms of gambling; amending s. 24.112, F.S.; revising provisions concerning retailers of lottery tickets to conform to the possibility of contracting with a manager; amending s. 24.113, F.S.; providing that provisions concerning minority participation also apply if the lottery contracts with a manager; amending ss. 24.114, 24.115, 24.1153, 24.117, 24.118, and 24.120, F.S.; revising provisions relating to bank deposits and control of lottery transactions, payment of prizes, assignment of prizes payable in installments, penalties for unlawful sale of lottery tickets, breach of confidentiality, and unlawful representation, and financial matters to conform to the possibility of contracting with a manager; amending s. 24.121, F.S.; revising provisions relating to allocation of revenues and expenditure of funds for public education to conform to the possibility of contracting with a manager; providing for a minimum allocation of proceeds received under a management agreement to the Florida Bright Futures Scholarship Program; amending ss. 24.122, 24.123, and 24.124, F.S.; revising pro-

visions relating to an exemption from taxation, state preemption, inapplicability of other laws, annual audit of financial records and reports, responsibility for ticket accuracy, and liability to conform to the possibility of contracting with a manager; providing an effective date.

—was referred to the Committees on Regulated Industries; Governmental Oversight and Accountability; and Budget.

By Senator Bennett—

**SB 1382**—A bill to be entitled An act relating to rulemaking; amending s. 120.54, F.S.; requiring that an agency include in its notice of intended rulemaking a statement as to whether the proposed rule will require legislative ratification; clarifying that certain proposed rules are adopted only when ratified by the Legislature; amending s. 120.541, F.S.; reducing the time before an agency files a rule for adoption within which the agency must notify the person who submitted a lower cost alternative and the Administrative Procedures Committee; amending s. 120.56, F.S.; reducing the time in which a substantially affected person may seek an administrative determination of the invalidity of a rule after the statement or revised statement of estimated regulatory costs is available; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Budget.

By Senator Altman—

**SB 1384**—A bill to be entitled An act relating to the transfer of tax liabilities; amending s. 213.758, F.S.; revising definitions; defining the terms “business,” “financial institution,” “insider,” “stock of goods,” and “tax”; requiring that a circuit court having jurisdiction over a taxpayer who fails to file a final tax return and to make tax payment for a business provide at least 20 days’ written notice before issuing a temporary injunction enjoining further business activity; specifying additional conditions for a transferee of a business, assets of the business, or stock of goods to establish that the business has no tax liability arising from the transfer; requiring the Department of Revenue to complete certain audits within a specified time in certain circumstances; requiring the Department of Revenue to charge a fee for conducting an audit of a transferor’s books and records; prohibiting a transferee who is liable for unpaid taxes of a transferor and who fails to pay taxes within a specified time from engaging in any business in the state; providing that a prohibition on the conduct of business by a transferee is stayed during a legal challenge to a determination of transferee liability by the department; authorizing the court to require the transferee to post a bond or other security in certain circumstances; authorizing the Department of Legal Affairs to require a transferee to pay maximum liability for any tax due in certain circumstances; authorizing a circuit court having jurisdiction over the taxpayer to issue to a transferee a temporary injunction enjoining further business upon at least 20 days’ written notice to the transferee; providing criteria for the determination of the fair market value and purchase price of a business, assets of the business, or a stock of goods; deleting the authority of the Department of Revenue to adopt rules relating to transferee liability; amending s. 213.053, F.S.; conforming a cross-reference; repealing s. 202.31, F.S., relating to the payment of taxes of a business of a dealer of communications services which has been sold; repealing s. 212.10, F.S., relating to the payment of taxes of a business that is a sales tax dealer, which business or stock of goods of the business has been sold; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Judiciary; and Budget.

By Senator Bogdanoff—

**SB 1386**—A bill to be entitled An act relating to controlled substances; amending s. 400.9905, F.S.; redefining the terms “clinic” and “portable equipment provider” for purposes of the Health Care Clinic Act; amending s. 456.037, F.S.; conforming provisions to changes made by the act; amending s. 456.057, F.S.; authorizing the Department of Health to obtain patient records pursuant to a subpoena and without notification to the patient from a controlled-substance medical clinic under certain circumstances; amending s. 458.3265, F.S.; renaming pain-management clinics as “controlled-substance medical clinics”; prohibiting controlled-

substance medical clinics from advertising services related to the dispensing of medication; revising the criteria requiring registration with the department as a controlled-substance medical clinic; conforming provisions to changes made by the act; revising the circumstances in which the department may revoke the certificate of registration for a controlled-substance medical clinic; providing an exception for revoking and suspending a certificate of registration for a controlled-substance medical clinic; revising the responsibilities of a physician who provides professional services in a controlled-substance medical clinic; deleting the requirement that the Board of Medicine adopt a rule establishing the maximum number of prescriptions that can be written for certain controlled substances within a specified time; revising the rules setting forth the standards of practice that the board is required to adopt; deleting the provision that describes when a physician is primarily engaged in the treatment of pain; amending s. 458.327, F.S.; conforming provisions to changes made by the act; amending s. 458.331, F.S.; conforming provisions to changes made by the act; revising the acts that constitute grounds for disciplinary action for a licensee who serves as a designated physician of a controlled-substance medical clinic; amending s. 459.0137, F.S.; renaming pain-management clinics as “controlled-substance medical clinics”; prohibiting controlled-substance medical clinics from advertising services related to the dispensing of medication; revising the criteria requiring registration with the department as a controlled-substance medical clinic; conforming provisions to changes made by the act; revising the circumstances in which the department may revoke the certificate of registration for a controlled-substance medical clinic; providing an exception for revoking and suspending a certificate of registration for a controlled-substance medical clinic; revising the responsibilities of an osteopathic physician who provides professional services in a controlled-substance medical clinic; deleting the requirement that the Board of Osteopathic Medicine adopt a rule establishing the maximum number of prescriptions that can be written for certain controlled substances within a specified time; revising the rules setting forth the standards of practice that the board is required to adopt; deleting the provision that describes when an osteopathic physician is primarily engaged in the treatment of pain; amending s. 459.015, F.S.; conforming provisions to changes made by the act; revising the acts that constitute grounds for disciplinary action for a licensee who serves as a designated osteopathic physician of a controlled-substance medical clinic; amending s. 465.0276, F.S.; deleting the provision that prohibits a dispensing practitioner from dispensing a specified amount of a controlled substance under certain circumstances; amending s. 893.055, F.S.; redefining the term “patient advisory report” as it relates to the prescription drug monitoring program; revising the date by which the department is required to establish a comprehensive electronic database system; revising the responsibilities of the dispenser and the prescriber with regard to the electronic database system; revising the circumstances in which the department is required to adopt rules regarding reporting, accessing the database, evaluation, management, development, implementation, operation, security, and storage of information within the electronic database system; deleting the Office of Drug Control as one of the organizations that the department is required to work with in developing rules for the prescription drug monitoring program; requiring that a dispensed controlled substance be reported to the department within a specified number of hours; authorizing law enforcement agencies to request certain confidential and exempt information from the electronic database system upon determination that probable cause exists that a crime is being committed and issuance of a search warrant; providing that all costs incurred by the department in administering the prescription drug monitoring program be funded through federal grants, dispensing registration fees, or private funding applied for or received by the state; requiring the department rather than the Office of Drug Control to establish a direct-support organization; requiring the State Surgeon General to appoint the board of directors for the direct-support organization; requiring the direct-support organization to operate under written contract with the department; revising requirements for the contract; requiring the activities of the direct-support organization to be consistent with the goals and mission of the department; authorizing the department to permit use of certain services, property, and facilities of the department by the direct-support organization; prohibiting the department from permitting the use of any administrative services, property, or facilities of the state by the direct-support organization under certain conditions; requiring the department rather than the Office of Drug Control to study the feasibility of enhancing the prescription drug monitoring program for specified purposes; requiring the direct-support organization to provide funding for the department rather than the Office of Drug Control to conduct

training in using the prescription drug monitoring program; revising the date in which the department must adopt rules; amending s. 893.0551, F.S.; authorizing a law enforcement agency to disclose certain confidential and exempt information received from the department to a criminal justice agency pursuant to a search warrant; providing an effective date.

—was referred to the Committees on Health Regulation; Criminal Justice; and Budget.

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By Senator Flores—

**SB 1388**—A bill to be entitled An act relating to the Department of Revenue; amending s. 213.053, F.S.; authorizing the department to release certain taxpayers’ names and addresses to certain scholarship-funding organizations; amending s. 220.1875, F.S.; deleting a limitation on the amount of tax credit allowable for contributions made to certain scholarship-funding organizations; amending s. 1002.395, F.S.; extending the carry-forward period for the use of certain tax credits resulting from contributions to the Florida Tax Credit Scholarship Program; deleting a restriction on a taxpayer’s ability to rescind certain tax credits resulting from contributions to the program; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

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By Senator Dockery—

**SB 1390**—A bill to be entitled An act relating to supervised reentry programs for inmates; amending s. 945.091, F.S.; providing legislative intent to encourage the Department of Corrections, to the extent possible, to place inmates in the community to perform paid employment for community work; providing that an inmate may leave the confinement of prison to participate in a supervised reentry program in which the inmate is housed in the community while working at paid employment or participating in other programs that are approved by the department; requiring the inmate to live at a department-approved residence while participating in the supervised reentry program; specifying the conditions for participating in the supervised reentry program; requiring that the department adopt rules to operate the supervised reentry program; providing legislative intent to encourage the department to place inmates in paid employment in the community for not less than 6 months before the inmate’s sentence expires; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

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By Senator Bennett—

**SB 1392**—A bill to be entitled An act relating to economic development; amending s. 288.1229, F.S.; authorizing a direct-support organization of the Office of Tourism, Trade, and Economic Development to establish the Florida Golf Trail; requiring the direct-support organization to cooperate with various entities; authorizing the direct-support organization to license the name “Florida Golf Trail” and receive compensation for such licensing; providing that the direct-support organization and its licensees have exclusive use of such name; encouraging the direct-support organization to enter into certain licensing arrangements or contracts; prohibiting the direct-support organization from accepting certain financial responsibility or liability for the Florida Golf Trail; authorizing various economic development and tourism promotion agencies to support the Florida Golf Trail; amending s. 288.9913, F.S.; revising the definition of the term “qualified active low-income community business” for purposes of the New Markets Development Program Act; requiring the direct-support organization to submit a report to the Governor and Legislature on the Florida Golf Trail; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Governmental Oversight and Accountability; and Budget.

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By Senator Evers—

**SB 1394**—A bill to be entitled An act relating to small community assistance; amending s. 403.1838, F.S.; clarifying that any single con-



dition in the definition of the term “financially disadvantaged small community” satisfies the criteria for such designation; increasing the size of population that qualifies as a small community; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Budget.

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By Senator Bogdanoff—

**SB 1396**—A bill to be entitled An act relating to nursing home litigation reform; amending s. 400.023, F.S.; specifying conditions under which a nursing home resident has a cause of action against a licensee or management company; requiring the trial judge to conduct an evidentiary hearing before a claimant can assert a claim against certain interested parties; providing a timeframe for a claimant to elect survival damages or wrongful death damages; providing a limitation on recovery; amending s. 400.0237, F.S.; requiring evidence of the basis for punitive damages; requiring the trial judge to conduct an evidentiary hearing before a claimant can assert a claim for punitive damages; permitting a licensee or management company to be held liable for punitive damages under certain circumstances; providing criteria for awarding of punitive damages in a case of vicarious liability of certain entities; amending s. 400.0238, F.S.; providing additional conditions for settlements involving claims for punitive damages; amending s. 400.23, F.S.; providing limitations for admissibility of survey and licensure reports and the presentation of testimony or other evidence of staffing deficiencies; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Budget.

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By Senator Bogdanoff—

**SB 1398**—A bill to be entitled An act relating to the judiciary; repealing s. 25.051, F.S., relating to regular terms of the Supreme Court; repealing s. 25.281, F.S., relating to compensation of the marshal; repealing s. 26.011, F.S., relating to census commissions for the judicial circuits; repealing s. 26.21, F.S., relating to terms of the circuit courts; repealing s. 26.22, F.S., relating to terms of the First Judicial Circuit; repealing s. 26.23, F.S., relating to terms of the Second Judicial Circuit; repealing s. 26.24, F.S., relating to terms of the Third Judicial Circuit; repealing s. 26.25, F.S., relating to terms of the Fourth Judicial Circuit; repealing s. 26.26, F.S., relating to terms of the Fifth Judicial Circuit; repealing s. 26.27, F.S., relating to terms of the Sixth Judicial Circuit; repealing s. 26.28, F.S., relating to terms of the Seventh Judicial Circuit; repealing s. 26.29, F.S., relating to terms of the Eighth Judicial Circuit; repealing s. 26.30, F.S., relating to terms of the Ninth Judicial Circuit; repealing s. 26.31, F.S., relating to terms of the Tenth Judicial Circuit; repealing s. 26.32, F.S., relating to terms of the Eleventh Judicial Circuit; repealing s. 26.33, F.S., relating to terms of the Twelfth Judicial Circuit; repealing s. 26.34, F.S., relating to terms of the Thirteenth Judicial Circuit; repealing s. 26.35, F.S., relating to terms of the Fourteenth Judicial Circuit; repealing s. 26.36, F.S., relating to terms of the Fifteenth Judicial Circuit; repealing s. 26.361, F.S., relating to terms of the Sixteenth Judicial Circuit; repealing s. 26.362, F.S., relating to terms of the Seventeenth Judicial Circuit; repealing s. 26.363, F.S., relating to terms of the Eighteenth Judicial Circuit; repealing s. 26.364, F.S., relating to terms of the Nineteenth Judicial Circuit; repealing s. 26.365, F.S., relating to terms of the Twentieth Judicial Circuit; repealing s. 26.37, F.S., relating to requiring a judge to attend the first day of each term of the circuit court; repealing s. 26.38, F.S., relating to requiring a judge to state a reason for nonattendance; repealing s. 26.39, F.S., relating to penalty for nonattendance of judge; repealing s. 26.40, F.S., relating to adjournment of the circuit court upon nonattendance of the judge; repealing s. 26.42, F.S., relating to calling all cases on the docket at the end of each term; repealing s. 26.49, F.S., relating to the sheriff as the executive officer of the circuit court; repealing s. 28.08, F.S., relating to the place of residence of the clerk of the circuit court or a deputy; repealing s. 35.10, F.S., relating to regular terms of the district courts of appeal; repealing s. 35.27, F.S., relating to compensation of the marshal; repealing s. 744.103, F.S., relating to guardians of incapacitated world war veterans; providing an effective date.

—was referred to the Committees on Judiciary; and Budget.

By Senator Smith—

**SB 1400**—A bill to be entitled An act relating to early voting; amending s. 101.657, F.S.; authorizing the supervisor of elections to designate sites, other than city halls or public libraries, as early voting sites if the early voting site is convenient, spacious, accessible, and secure; providing an effective date.

—was referred to the Committees on Rules; and Budget.

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By Senator Smith—

**SB 1402**—A bill to be entitled An act relating to expunging criminal history records; creating s. 943.0595, F.S.; providing for the automatic expunction of criminal history records in specified circumstances; providing procedures to expunge a criminal history record; providing for the effect of expunction; providing that expunction granted under this section does not prevent a person who receives such relief from petitioning for the expunction or sealing of a criminal history record under other provisions of law; providing for treatment of certain statutory cross-references; amending ss. 943.0582, 943.0585, 943.059, 948.08, 948.16, 961.06, and 985.345, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

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By Senator Evers—

**SB 1404**—A bill to be entitled An act relating to environmental permitting; amending s. 120.569, F.S.; authorizing the provision of certain notices under the Administrative Procedure Act via a link to a publicly available Internet website; providing that a nonapplicant who petitions to challenge an agency’s issuance of a license or conceptual approval in certain circumstances has the burden of ultimate persuasion and the burden of going forward with evidence; amending s. 120.60, F.S.; requiring that an agency process a permit application notwithstanding an outstanding request for additional information from the applicant; revising the period for an agency to approve or deny an application for a license; creating s. 125.0112, F.S.; providing that the construction and operation of a biofuel processing facility or renewable energy generating facility and the cultivation of bioenergy by a local government is a valid and permitted land use; requiring expedited review of such facilities; providing that such facilities are eligible for the alternative state review process; amending s. 125.022, F.S.; prohibiting a county from requiring an applicant to obtain a permit or approval from another state or federal agency as a condition of approving a development permit; authorizing a county to attach certain disclaimers to the issuance of a development permit; creating s. 161.032, F.S.; requiring that the Department of Environmental Protection review an application for certain permits under the Beach and Shore Preservation Act and request additional information within a specified time; requiring that the department proceed to process the application if the applicant believes that a request for additional information is not authorized by law or rule; extending the period for an applicant to timely submit additional information, notwithstanding certain provisions of the Administrative Procedure Act; amending s. 163.3184, F.S.; redefining the term “affected person” for purposes of the adoption process for a comprehensive plan or plan amendments to include persons who can show that their substantial interest will be affected by the plan or amendment; amending s. 163.3215, F.S.; redefining the term “aggrieved or adversely affected party” for purposes of standing to enforce local comprehensive plans; deleting a requirement that the adverse interest exceed in degree the general interest shared by all persons; amending s. 166.033, F.S.; prohibiting a municipality from requiring an applicant to obtain a permit or approval from another state or federal agency as a condition of approving a development permit; authorizing a county to attach certain disclaimers to the issuance of a development permit; creating s. 166.0447, F.S.; providing that the construction and operation of a biofuel processing facility or renewable energy generating facility and the cultivation of bioenergy is a valid and permitted land use within the unincorporated area of a municipality; prohibiting any requirement that the owner or operator of such a facility obtain comprehensive plan amendments, use permits, waivers, or variances, or pay any fee in excess of a specified amount; amending s. 373.026, F.S.; requiring the Department of Environmental Protection to expand its use of Internet-based self-certifi-

cation services for exemptions and permits issued by the department and water management districts; amending s. 373.4141, F.S.; requiring that a request by the department or a water management district that an applicant provide additional information be accompanied by the signature of specified officials of the department or district; reducing the time within which the department or district must approve or deny a permit application; providing that an application for a permit that is required by a local government and that is not approved within a specified period is deemed approved by default; amending s. 373.4144, F.S.; providing legislative intent with respect to the coordination of regulatory duties among specified state and federal agencies; requiring that the department report annually to the Legislature on efforts to expand the state programmatic general permit or regional general permits; providing for a voluntary state programmatic general permit for certain dredge and fill activities; amending s. 373.441, F.S.; requiring that certain counties or municipalities apply by a specified date to the department or water management district for authority to require certain permits; providing that following such delegation, the department or district may not regulate activities that are subject to the delegation; amending s. 403.061, F.S., relating to the use of online self-certification; conforming provisions to changes made by the act; creating s. 403.0874, F.S.; providing a short title; providing legislative findings and intent with respect to the consideration of the compliance history of a permit applicant; providing for applicability; specifying the period of compliance history to be considered in issuing or renewing a permit; providing criteria to be considered by the Department of Environmental Protection; authorizing expedited review of permit issuance, renewal, modification, and transfer; providing for a reduced number of inspections; providing for extended permit duration; authorizing the department to make additional incentives available under certain circumstances; providing for automatic permit renewal and reduced or waived fees under certain circumstances; requiring the department to adopt rules that are binding on a water management district or local government that has been delegated certain regulatory duties; amending ss. 161.041 and 373.413, F.S.; specifying that s. 403.0874, F.S., authorizing expedited permitting, applies to provisions governing beaches and shores and surface water management and storage; amending s. 403.087, F.S.; revising conditions under which the department is authorized to revoke a permit; amending s. 403.412, F.S.; eliminating a provision limiting a requirement for demonstrating injury in order to seek relief under the Environmental Protection Act; amending s. 403.814, F.S.; providing for issuance of general permits for the construction, alteration, and maintenance of certain surface water management systems without the action of the department or a water management district; specifying conditions for the general permits; amending s. 380.06, F.S.; exempting a proposed phosphate mine or a proposed addition or expansion of an existing phosphate mine from provisions governing developments of regional impact; providing certain exceptions; amending ss. 380.0657 and 403.973, F.S.; authorizing expedited permitting for certain inland multimodal facilities and for commercial or industrial development projects that individually or collectively will create a minimum number of jobs; providing for a project-specific memorandum of agreement to apply to a project subject to expedited permitting; providing for review and certification of a business as eligible for expedited permitting by the Secretary of Environmental Protection rather than by the Office of Tourism, Trade, and Economic Development; amending s. 163.3180, F.S.; providing an exemption to the level-of-service standards adopted under the Strategic Intermodal System for certain inland multimodal facilities; specifying project criteria; amending s. 373.4137, F.S., relating to transportation projects; revising legislative findings with respect to the options for mitigation; revising certain requirements for determining the habitat impacts of transportation projects; providing for the release of certain mitigation funds held for the benefit of a water management district if a project is excluded from a mitigation plan; revising the procedure for excluding a project from a mitigation plan; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; Agriculture; and Budget.

By Senator Bogdanoff—

**SB 1406**—A bill to be entitled An act relating to replacing revenue from the required local effort school property tax with revenue from a state sales tax increase; providing legislative intent and findings; amending ss. 212.03, 212.031, 212.04, 212.05, 212.0501, 212.0506,

212.06, and 212.08, F.S.; providing for a 2.5 cent increase in the tax on sales, use, and other transactions; amending s. 212.12, F.S.; revising brackets for calculating sales tax amounts; amending s. 212.20, F.S.; providing for reservation and allocation of revenues from the additional 2.5 cent increase in the tax rate; amending ss. 11.45, 202.18, 218.245, 218.65, 288.11621, and 288.1169, F.S.; conforming cross-references; amending s. 1011.62, F.S.; conforming provisions relating to calculating the required local effort for school funding; amending s. 1011.71, F.S.; deleting a requirement that a district school board levy the minimum millage rate necessary to provide the district's required local effort; amending s. 218.67, F.S.; conforming provisions relating to funding for fiscally constrained counties; amending s. 1002.32, F.S.; conforming provisions relating to funding for developmental research schools; amending s. 1011.02, F.S.; conforming provisions relating to the adoption of a district school board budget; amending s. 200.065, F.S.; revising the notice form relating to a district school board's proposed tax increase for required local effort; providing effective dates.

—was referred to the Committees on Education Pre-K - 12; Community Affairs; and Budget.

By Senator Bogdanoff—

**SB 1408**—A bill to be entitled An act relating to public meetings; amending s. 286.011, F.S.; revising an exemption from public-meetings requirements which authorizes a board or commission of a state agency, authority, county, municipal corporation, or political subdivision and the chief administrative or executive officer of such governmental entity to meet in private with the entity's attorney to discuss pending litigation; including within the exemption a public employee or agent having relevant information needed by the entity's attorney; revising a provision limiting what may be discussed at such a meeting; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Judiciary.

By Senator Negron—

**SB 1410**—A bill to be entitled An act relating to health care price transparency; amending s. 381.026, F.S.; providing a definition; requiring primary care providers to publish and post a schedule of certain charges for medical services offered to patients; requiring a primary care provider's estimates of charges for medical services to be consistent with the posted schedule; amending ss. 458.331, 459.015, and 461.013, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action against certain physicians, osteopathic physicians, or podiatric physicians, to which penalties apply; providing construction with respect to the doctrine of incorporation by reference; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Storms—

**SB 1412**—A bill to be entitled An act relating to the Department of Children and Family Services; amending s. 20.04, F.S.; changing the name of the department to the Department of Children and Families; authorizing the department to establish circuits and regions headed by circuit administrators and regional directors; amending s. 20.19, F.S.; revising provisions relating to the establishment of the department; providing for operating units known as circuits and regions based on judicial circuits; deleting provisions relating to the program directors for mental health and substance abuse, the service districts, child protection workers, the membership of community alliances, and the prototype region; amending ss. 20.43, 39.01, and 394.78, F.S.; conforming cross-references; repealing s. 402.35, F.S., relating to the application of Department of Management Services' rules; amending s. 420.622, F.S.; deleting the requirement for the Governor to appoint an executive director to the State Office on Homelessness; providing for legislation to conform the Florida Statutes to changes made by the act; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Governmental Oversight and Accountability; and Budget.

By Senator Wise—

**SB 1414**—A bill to be entitled An act relating to health insurance; creating ss. 627.64995, 627.66995, and 641.31099, F.S.; prohibiting certain health insurance policies and health maintenance contracts from providing coverage for abortions; providing exceptions; defining the term “state”; amending s. 627.6515, F.S.; providing that certain restrictions on coverage for abortions apply to certain group health insurance policies issued or delivered outside the state which provide coverage to residents of the state; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; and Budget.

By Senator Benacquisto—

**SB 1416**—A bill to be entitled An act relating to small municipalities; amending s. 163.3164, F.S.; defining the term “municipality of special financial concern”; amending s. 163.3177, F.S.; requiring the state land planning agency to grant a waiver from requirements relating to updating the capital improvements element of the comprehensive plan and amendments updating the regional water supply plan to certain municipal applicants who meet specified criteria; amending s. 163.3191, F.S.; requiring the state land planning agency to grant a waiver of requirements to certain municipal applicants who meet specified criteria; amending s. 218.39, F.S.; revising the amount of municipal revenues or expenditures and expenses that require a municipality to complete a financial audit of its accounts and records; providing an effective date.

—was referred to the Committees on Community Affairs; Environmental Preservation and Conservation; and Budget.

By Senator Altman—

**SB 1418**—A bill to be entitled An act relating to traffic safety; creating the Alex Brown Act; amending s. 316.0075, F.S.; prohibiting the use of handheld cellular telephones and other handheld electronic communications devices by drivers under 18 years of age; providing exceptions; providing penalties; providing an effective date.

—was referred to the Committees on Transportation; Communications, Energy, and Public Utilities; and Budget.

By Senator Altman—

**SB 1420**—A bill to be entitled An act relating to judicial proceedings in civil cases; amending s. 25.073, F.S.; conforming provisions to changes made by the act; providing for the chief judge of a judicial circuit, subject to approval by the Chief Justice of the Supreme Court, to establish a program for retired justices or judges to preside over civil cases and trials upon written request of one or more parties; providing for compensation of such justices or judges; providing for an additional court cost and for deposit thereof; amending s. 44.104, F.S.; providing for the procedures governing voluntary trial resolution to include a jury trial if there is a right to a jury trial and if at least one party has requested a jury trial; providing an effective date.

—was referred to the Committees on Judiciary; and Budget.

By Senator Altman—

**SB 1422**—A bill to be entitled An act relating to developmental disabilities; establishing a Developmental Disabilities Savings Program to allow for the advance payment of services for individuals who have developmental disabilities and who will be ineligible for certain services due to age; providing legislative intent; defining terms; requiring the program to provide certain information; providing that the program may not be implemented until certain legal opinions are obtained; establishing the Developmental Disabilities Savings Program Board to administer the savings program; providing for board membership; specifying the powers, duties, and goals of the board; authorizing the board to adopt rules; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; and Budget.

By Senator Benacquisto—

**SB 1424**—A bill to be entitled An act relating to telemarketing; amending s. 501.604, F.S.; deleting restrictions on the business-to-business sales exemption of the Florida Telemarketing Act; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Budget.

By Senator Hays—

**SB 1426**—A bill to be entitled An act relating to the repeal of health insurance provisions; amending s. 627.64872, F.S.; deleting a requirement that the annual report of the Florida Health Insurance Plan’s board of directors include certain actuarial information relating to levels of coverage and funding; amending s. 627.6699, F.S.; deleting a requirement that the Office of Insurance Regulation of the Department of Financial Services annually report to the Governor and the Legislature concerning the Small Employers Access Program; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce and Tourism; and Budget.

By Senator Latvala—

**SB 1428**—A bill to be entitled An act relating to veterinary practice; amending s. 474.202, F.S.; defining the term “limited service veterinary vaccination clinic”; amending s. 474.215, F.S.; revising terminology; requiring that the Board of Veterinary Medicine establish minimum standards for limited service veterinary vaccination clinics rather than limited service veterinary medical practices; providing an effective date.

—was referred to the Committees on Regulated Industries; and Budget.

By Senator Altman—

**SB 1430**—A bill to be entitled An act relating to the regulation of smoking; amending s. 386.212, F.S.; authorizing a district school board to adopt rules prohibiting any person from smoking tobacco on or in any district-owned or district-leased facility or property during a specified time of the day; providing an effective date.

—was referred to the Committees on Regulated Industries; Education Pre-K - 12; and Judiciary.

By Senator Fasano—

**SB 1432**—A bill to be entitled An act relating to county government funding; creating s. 125.595, F.S.; providing circumstances under which a board of county commissioners may use certain revenues for a purpose other than that specified by law; defining the term “eligible county”; specifying that county eligibility must be determined annually and exercised for a limited time; prohibiting the use of certain revenues for such purposes; providing an effective date.

—was referred to the Committees on Community Affairs; and Budget.

By Senator Latvala—

**SB 1434**—A bill to be entitled An act relating to the Office of Motor Carrier Compliance; transferring the Office of Motor Carrier Compliance from the Department of Transportation to the Division of the Florida Highway Patrol in the Department of Highway Safety and Motor Vehicles; amending ss. 110.205, 311.115, 316.3026, and 334.044, F.S.; conforming provisions to changes made by the act; creating the Law Enforcement Consolidation Task Force; providing for membership; requiring the task force to make recommendations and submit a report to the Legislature by a certain date; providing for future expiration; providing an effective date.

—was referred to the Committees on Transportation; Governmental Oversight and Accountability; and Budget.

By Senator Ring—

**SB 1436**—A bill to be entitled An act relating to the tax refund program for qualified target industry businesses; amending s. 288.106, F.S.; defining and revising terms; revising eligibility of qualified target industry businesses for tax refunds; authorizing tax refunds for certain businesses that make capital investments in a project; revising application requirements and qualifications for review of applications by the Office of Tourism, Trade, and Economic Development; reenacting ss. 159.803(11), 212.098(1)(a), and 220.1896(1)(a), F.S., relating to definitions with respect to eligible projects for private activity bonds in the Florida First Business allocation pool and eligible businesses for the Rural Job Tax Credit Program and Jobs for the Unemployed Tax Credit Program, to incorporate changes made by the act in references thereto; amending s. 220.191, F.S.; conforming a cross-reference; reenacting ss. 288.107(1)(e) and (h), 288.1089(4)(c), and 380.0657(1) and (5), F.S., relating to definitions with respect to eligible businesses and projects for brownfield redevelopment bonus refunds, qualifications for review of applications for the Innovation Incentive Program, and economic development projects eligible for an expedited permitting process, to incorporate changes made by the act in references thereto; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Budget.

**Senate Bills 1438-1590**—Not referenced.

By Senator Thrasher—

**SB 1592**—A bill to be entitled An act relating to civil remedies against insurers; amending s. 624.155, F.S.; revising provisions relating to civil actions against insurers; providing a definition; revising the grounds for bringing an action based on the insurer's failure to accept an offer to settle within policy limits; providing who may bring such an action; providing requirements for bringing such an action; providing for the release of an insured if the insurer offers to settle a third-party claim within a specified time under certain circumstances; providing that the insurer has an affirmative defense if a third-party claimant or the insured fails to cooperate with the insurer; providing that an insurer is not liable for two or more claims that exceed the policy limits if it files an interpleader action or makes the policy limits available under arbitration; specifying responsibility for the payment of liens; providing that an insurer is not liable for amounts in excess of the policy limits if it makes timely payment of the appraisal amount; providing that certain refusals to act by the insurer are not presumptive evidence of bad faith; revising requirements relating to the preaction notice of a civil action sent to the Department of Financial Regulation and the insurer; specifying work-product protection requirements; prohibiting an award of fees and costs from including any form of multiplier or enhancement; providing that the provisions of the act replace the common law; amending s. 627.311, F.S.; conforming a cross-reference; deleting an obsolete provision; amending s. 627.727, F.S.; revising and limiting the damages that are recoverable from an uninsured motorist carrier in a civil action; providing for severability; providing an effective date.

—was referred to the Committees on Judiciary; and Budget.

**Senate Bills 1594-1626**—Not referenced.

**SB 1628**—Withdrawn prior to introduction.

**Senate Bills 1630-1664**—Not referenced.

**SJR 1666**—Withdrawn prior to introduction.

**Senate Bills 1668-1968**—Not referenced.

By Senator Thrasher—

**SB 1970**—A bill to be entitled An act relating to public records; amending s. 11.51, F.S.; creating an exemption from public-records requirements for work papers held by the Office of Program Policy Analysis and Government Accountability which relate to an authorized project or a research product; providing for retroactive application; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committee on Governmental Oversight and Accountability.

#### BILLS REFERRED TO SUBCOMMITTEE

January 19, 2011

Pursuant to Senate Rule 4.6(4), the following have been referred to the Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations which will report to this standing committee within 60 days: SM 216, CS for SM 214, SM 218, SM 220 and CS for SB 248.

*Senator JD Alexander*, Chair  
Committee on Budget

January 25, 2011

Pursuant to Senate Rule 4.6(4), the following has been referred to the Rules Subcommittee on Ethics and Elections which will report to this standing committee within 60 days: SB 378.

*Senator John Thrasher*, Chair  
Committee on Rules

January 27, 2011

Pursuant to Senate Rule 4.6(4), the following has been referred to the Budget Subcommittee on General Government Appropriations which will report to this standing committee within 60 days: SB 298.

*Senator JD Alexander*, Chair  
Committee on Budget

February 10, 2011

Pursuant to Senate Rule 4.6(4), the following has been referred to the Budget Subcommittee on Finance and Tax which will report to this standing committee within 60 days: SJR 958.

*Senator JD Alexander*, Chair  
Committee on Budget

February 14, 2011

Pursuant to Senate Rule 4.6(4), the following has been referred to the Budget Subcommittee on Education Pre-K - 12 Appropriations which will report to this standing committee within 60 days: CS for SB 736.

*Senator JD Alexander*, Chair  
Committee on Budget

March 8, 2011

Pursuant to Senate Rule 4.6(4), the following have been referred to the Budget Subcommittee on Higher Education Appropriations which will report to this standing committee within 60 days: CS for SB 84, CS for SB 654, and CS for SB 414.

*Senator JD Alexander*, Chair  
Committee on Budget

March 8, 2011

Pursuant to Senate Rule 4.6(4), the following have been referred to the Budget Subcommittee on Finance and Tax which will report to this standing committee within 60 days: SB 382 and SB 478.

*Senator JD Alexander, Chair*  
Committee on Budget

March 8, 2011

Pursuant to Senate Rule 4.6(4), the following have been referred to the Budget Subcommittee on General Government Appropriations which will report to this standing committee within 60 days: CS for SB 408 and SM 484.

*Senator JD Alexander, Chair*  
Committee on Budget

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committee on Budget; and Senators Haridopolos, Lynn, Wise, Gaetz, Dean, Benacquisto, Hays, Fasano, Bennett, Diaz de la Portilla, Oelrich, Negron, Storms, Evers, Flores, Simmons, Jones, Gardiner, Garcia, Alexander, Latvala, Altman, Thrasher, Detert, Norman, Richter, Dockery, and Bogdanoff—

**CS for SJR 2**—A joint resolution proposing the creation of Section 28 of Article I of the State Constitution, relating to health care services.

By the Committee on Higher Education; and Senators Lynn, Gaetz, Thrasher, Wise, and Simmons—

**CS for SB 84**—A bill to be entitled An act relating to community colleges; amending s. 1000.21, F.S.; renaming Gulf Coast Community College as “Gulf Coast State College”; renaming Pensacola Junior College as “Pensacola State College”; renaming St. Johns River Community College as “St. Johns River State College”; renaming Valencia Community College as “Valencia College”; amending ss. 288.8175, 1004.74, and 1004.75, F.S., relating to linkage institutes, the Florida School of the Arts, and the consolidation of certain training schools; conforming provisions; providing an effective date.

By the Committee on Community Affairs; and Senator Gaetz—

**CS for SB 88**—A bill to be entitled An act relating to public employee compensation; amending s. 215.425, F.S.; revising provisions relating to the prohibition against the payment of extra compensation; providing for bonuses; specifying the conditions for paying bonuses; prohibiting provisions in contracts that provide for severance pay; allowing for severance pay under specified circumstances; defining the term “severance pay”; prohibiting a contract provision that provides for extra compensation to limit the ability to discuss the contract; amending s. 166.021, F.S.; deleting a provision that allows a municipality to pay extra compensation; amending s. 112.061, F.S.; conforming cross-references; repealing s. 125.01(1)(bb), F.S., relating to the power of a local government to pay extra compensation; repealing s. 373.0795, F.S., relating to a prohibition against severance pay for officers or employees of water management districts; providing an effective date.

By the Committee on Education Pre-K - 12; and Senator Gaetz—

**CS for SB 90**—A bill to be entitled An act relating to financial emergencies; amending s. 163.07, F.S.; requiring a plan of a county or municipality to improve the efficiency, accountability, and coordination of the delivery of local government services to include a plan for the consolidation of all administrative direction and support services if the county or municipality is subject to review and oversight by the Governor; amending s. 218.503, F.S.; authorizing a financial emergency review board for a local governmental entity or district school board to consult with other governmental entities for the consolidation of all adminis-

trative direction and support services; authorizing the Governor or Commissioner of Education to require a local governmental entity or district school board to develop a plan implementing the consolidation, sourcing, or discontinuance of all administrative direction and support services; providing that the members of the governing body of a local governmental entity or the members of a district school board who fail to resolve a state of financial emergency are subject to suspension or removal from office; providing an effective date.

By the Committee on Health Regulation; and Senator Gaetz—

**CS for SB 94**—A bill to be entitled An act relating to blood establishments; amending s. 381.06014, F.S.; redefining the term “blood establishment” and defining the term “volunteer donor”; prohibiting local governments from restricting access to public facilities or infrastructure for certain activities based on whether a blood establishment is operating as a for-profit organization or not-for-profit organization; prohibiting a blood establishment from considering whether certain customers are operating as for-profit organizations or not-for-profit organizations when determining service fees for selling blood or blood components; requiring that certain blood establishments disclose specified information on the Internet; authorizing the Department of Legal Affairs to assess a civil penalty against a blood establishment that fails to disclose specified information on the Internet; providing that the civil penalty accrues to the state and requiring that it be deposited as received into the General Revenue Fund; amending s. 499.003, F.S.; redefining the term “health care entity” to clarify that a blood establishment is a health care entity that may engage in certain activities; amending s. 499.005, F.S.; clarifying provisions that prohibit the unauthorized wholesale distribution of a prescription drug that was purchased by a hospital or other health care entity or donated or supplied at a reduced price to a charitable organization, to conform to changes made by the act; amending s. 499.01, F.S.; exempting certain blood establishments from the requirements to be permitted as a prescription drug manufacturer and register products; requiring that certain blood establishments obtain a restricted prescription drug distributor permit under specified conditions; limiting the prescription drugs that a blood establishment may distribute under a restricted prescription drug distributor permit; authorizing the Department of Health to adopt rules regarding the distribution of prescription drugs by blood establishments; providing an effective date.

By the Committee on Judiciary; and Senator Ring—

**CS for SJR 140**—A joint resolution proposing amendments to Sections 8 and 20 of Article V of the State Constitution to increase the age after which a justice or judge may no longer serve in a judicial office and to increase the period of time that a person must be a member of The Florida Bar before becoming eligible for the office of circuit court or county court judge.

By the Committee on Commerce and Tourism; and Senators Richter and Gaetz—

**CS for SB 142**—A bill to be entitled An act relating to negligence; amending s. 768.81, F.S.; defining the terms “negligence action” and “products liability action”; requiring the trier of fact to consider the fault of all persons who contributed to an accident when apportioning damages in a products liability action alleging an additional or enhanced injury; providing legislative intent to overrule a judicial opinion; providing a legislative finding that fault should be apportioned among all responsible persons in a products liability action; providing for retroactive application of the act; providing a legislative finding that the retroactive application of the act does not impair vested rights; providing an effective date.

By the Committee on Judiciary; and Senator Bennett—

**CS for SB 170**—A bill to be entitled An act relating to electronic filing and receipt of court documents; creating ss. 27.341 and 27.5112, F.S.; requiring each state attorney and public defender to implement a system by which the state attorney and public defender can electronically file court documents with the clerk of the court and receive court documents from the clerk of the court; providing legislative expectations that the state attorneys and public defenders consult with specified entities; de-

fining the term “court documents”; requiring that the Florida Prosecuting Attorneys Association and the Florida Public Defender Association report to the President of the Senate and the Speaker of the House of Representatives by a specified date on the progress made in implementing the electronic filing and receipt system; providing an effective date.

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By the Committee on Banking and Insurance; and Senator Oelrich—

**CS for SB 178**—A bill to be entitled An act relating to commercial insurance rates; amending s. 627.062, F.S.; exempting certain liability and property insurance lines from specific rate standards and filing requirements; revising certain reporting and recordkeeping requirements for such exempt insurers and certain rating organizations regarding rate changes; deleting a provision that permits the Office of Insurance Regulation of the Financial Services Commission to require such insurers to provide certain information regarding rates at the insurer’s expense; amending s. 627.0651, F.S.; exempting certain commercial motor vehicle insurance from specific rate standards and filing requirements; revising certain reporting and recordkeeping requirements for such exempt insurers and certain rating organizations regarding rate changes; deleting a provision that permits the Office of Insurance Regulation of the Financial Services Commission to require such insurers to provide certain information regarding rates at the insurer’s expense; providing an effective date.

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By the Committee on Criminal Justice; and Senators Wise and Dockery—

**CS for SB 204**—A bill to be entitled An act relating to controlled substances; amending s. 893.02, F.S.; defining the term “homologue” for purposes of the Florida Comprehensive Drug Abuse Prevention and Control Act; amending s. 893.03, F.S.; including certain hallucinogenic substances on the list of controlled substances in Schedule I; reenacting ss. 893.13(1), (2), (4), and (5), 893.135(1)(l), and 921.0022(3)(b), (c), and (e), F.S., relating to prohibited acts and penalties regarding controlled substances and the offense severity chart of the Criminal Punishment Code, to incorporate the amendment to s. 893.03, F.S., in references thereto; providing an effective date.

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By the Committee on Community Affairs; and Senators Gaetz, Latvala, and Sobel—

**CS for SM 214**—A memorial to the Congress of the United States, urging Congress to support the tax-relief provisions of H.R. 5699 and S. 3934, initiated in the 111th Congress, or similar legislation, relating to the Deepwater Horizon Oil Spill of 2010.

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By the Committee on Transportation; and Senator Bennett—

**CS for SB 244**—A bill to be entitled An act relating to motor vehicles; creating the “Highway Safety Act”; providing legislative intent relating to road rage and aggressive careless driving; amending s. 316.003, F.S.; defining the term “road rage”; amending s. 316.083, F.S.; requiring an operator of a motor vehicle to yield the left lane when being overtaken on a multilane highway; providing exceptions; amending s. 316.1923, F.S.; revising the number of specified acts necessary to qualify as an aggressive careless driver; providing specified punishments for aggressive careless driving; specifying the allocation of moneys received from the increased fine imposed for aggressive careless driving; amending s. 318.19, F.S.; providing that a second or subsequent infraction as an aggressive careless driver requires attendance at a mandatory hearing; requiring the Department of Highway Safety and Motor Vehicles to provide information about the Highway Safety Act in driver’s license educational materials; reenacting s. 316.650(1)(a), F.S., relating to traffic citations, to incorporate the amendments made to s. 316.1923, F.S., in a reference thereto; providing an effective date.

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By the Committees on Health Regulation; and Transportation; and Senator Bennett—

**CS for CS for SB 244**—A bill to be entitled An act relating to motor vehicles; creating the “Highway Safety Act”; providing legislative intent

relating to road rage and aggressive careless driving; amending s. 316.003, F.S.; defining the term “road rage”; amending s. 316.083, F.S.; requiring an operator of a motor vehicle to yield the left lane when being overtaken on a multilane highway; providing exceptions; amending s. 316.1923, F.S.; revising the number of specified acts necessary to qualify as an aggressive careless driver; providing specified punishments for aggressive careless driving, including imposition of an increased fine; amending s. 318.121, F.S.; revising the preemption of additional fees, fines, surcharges, and court costs to allow imposition of the increased fine for aggressive careless driving; amending s. 318.18, F.S.; specifying the amount of the fine and the allocation of moneys received from the increased fine imposed for aggressive careless driving; amending s. 318.19, F.S.; providing that a second or subsequent infraction as an aggressive careless driver requires attendance at a mandatory hearing; requiring the Department of Highway Safety and Motor Vehicles to provide information about the Highway Safety Act in driver’s license educational materials; reenacting s. 316.650(1)(a), F.S., relating to traffic citations, to incorporate the amendments made to s. 316.1923, F.S., in a reference thereto; providing an effective date.

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By the Committee on Health Regulation; and Senators Joyner, Margolis, and Sobel—

**CS for SB 246**—A bill to be entitled An act relating to human trafficking; creating s. 480.0535, F.S.; requiring operators of massage establishments to maintain valid work authorization documents on the premises for each employee who is not a United States citizen; requiring presentation of such documents upon request of a law enforcement officer; prohibiting the use of a massage establishment license for the purpose of lewdness, assignation, or prostitution; providing criminal penalties; amending s. 921.0022, F.S.; including within the severity ranking chart of the Criminal Punishment Code certain offenses prohibited by the act; providing an effective date.

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By the Committee on Community Affairs; and Senators Gaetz and Montford—

**CS for SB 248**—A bill to be entitled An act relating to economic recovery from the Deepwater Horizon disaster; amending s. 14.2015, F.S.; defining the term “Disproportionally Affected County”; creating a process for the Office of Tourism, Trade, and Economic Development to waive any or all program requirements under certain circumstances when in the best interest of the public; creating s. 252.363, F.S.; tolling and extending the expiration dates of certain building permits or other authorizations following the declaration of a state of emergency by the Governor; providing exceptions; providing for the laws, administrative rules, and ordinances in effect when the permit was issued to apply to activities described in a permit or other authorization; providing an exception; amending s. 253.02, F.S.; requiring the Board of Trustees of the Internal Improvement Trust Fund to recommend to the Legislature whether existing multistate compacts for mutual aid should be modified or if a new multistate compact is necessary to address the Deepwater Horizon event or similar future incidents; requiring that the Board of Trustees of the Internal Improvement Trust Fund appoint members to the Commission on Oil Spill Response Coordination; providing for the designation of the chair of the commission by the Governor; requiring the commission to prepare a report for review and approval by the board of trustees; specifying the subject matter of the report; providing for future expiration; temporarily exempting the sale of commercial vessels, recreational vessels, and marine equipment sold by registered dealers in certain counties from the sales tax; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation to the Department of Revenue to administer the sales tax exemptions; defining the term “Disproportionally Affected County”; providing an appropriation to the Office of Tourism, Trade, and Economic Development to contract with Florida’s Great Northwest, Inc., in order to develop and implement an economic development program for a Disproportionally Affected County; specifying a preference for a Disproportionally Affected County which provide for expedited or combined permitting for certain purposes; providing for the appropriation to be placed in reserve by the Executive Office of the Governor for release as authorized by law or the Legislative Budget Commission; defining the term “Disproportionally Affected County”; providing for the deposit of funds received by entities involved in the Deepwater Horizon oil spill into applicable state trust funds;

specifying permissible uses of such funds; designating the Department of Environmental Protection as the lead agency for expending funds for environmental restoration; designating the Office of Tourism, Trade, and Economic Development as the lead agency for funds designated for economic incentives and diversification efforts; authorizing the holder of a lease of sovereignty submerged lands to apply to the Department of Environmental Protection for the payment or the reimbursement of lease fees for the period of the state of emergency for the Deepwater Horizon oil spill; specifying conditions for eligibility; requiring an application to the Department of Environmental Protection; requiring the Chief Financial Officer to use the full extent of the law to recover payments from the responsible party or other independently administered claims process; providing a short title for certain sections of the act; providing an effective date.

By the Committees on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations; and Community Affairs; and Senators Gaetz, Montford, and Evers—

**CS for CS for SB 248**—A bill to be entitled An act relating to economic recovery from the Deepwater Horizon disaster; amending s. 14.2015, F.S.; defining the term “Disproportionally Affected County”; creating a process for the Office of Tourism, Trade, and Economic Development to waive any or all job or wage eligibility requirements under certain circumstances when in the best interest of the public; amending s. 220.191, F.S.; waiving the requirement that a facility located in a Disproportionally Affected County be in a high-impact sector in order to qualify for the capital investment tax credit; amending s. 288.106, F.S.; creating a process for the Office of Tourism, Trade, and Economic Development to waive wage or local financial support eligibility requirements; providing a special incentive under the tax refund program for a limited time for a qualified target industry business that relocates from another state to a Disproportionally Affected County; creating s. 252.363, F.S.; tolling and extending the expiration dates of certain building permits or other authorizations following the declaration of a state of emergency by the Governor; providing exceptions; providing for the laws, administrative rules, and ordinances in effect when the permit was issued to apply to activities described in a permit or other authorization; providing an exception; amending s. 253.02, F.S.; requiring the Board of Trustees of the Internal Improvement Trust Fund to recommend to the Legislature whether existing multistate compacts for mutual aid should be modified or if a new multistate compact is necessary to address the Deepwater Horizon event or similar future incidents; requiring that the Board of Trustees of the Internal Improvement Trust Fund appoint members to the Commission on Oil Spill Response Coordination; providing for the designation of the chair of the commission by the Governor; requiring the commission to prepare a report for review and approval by the board of trustees; specifying the subject matter of the report; providing for future expiration; temporarily exempting the sale of commercial vessels, recreational vessels, and marine equipment sold by registered dealers in certain counties from the sales tax; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation to the Department of Revenue to administer the sales tax exemptions; defining the term “Disproportionally Affected County”; providing an appropriation to the Office of Tourism, Trade, and Economic Development to contract with Florida’s Great Northwest, Inc., in order to develop and implement an economic development program for a Disproportionally Affected County; specifying a preference for a Disproportionally Affected County or municipalities within a Disproportionally Affected County which provide for expedited or combined permitting for certain purposes; providing for the appropriation to be placed in reserve by the Executive Office of the Governor for release as authorized by law or the Legislative Budget Commission; defining the term “Disproportionally Affected County”; providing for the deposit of funds received by entities involved in the Deepwater Horizon oil spill into applicable state trust funds; specifying permissible uses of such funds; designating the Department of Environmental Protection as the lead agency for expending funds for environmental restoration; designating the Office of Tourism, Trade, and Economic Development as the lead agency for funds designated for economic incentives and diversification efforts; authorizing the holder of a lease of sovereignty submerged lands to apply to the Department of Environmental Protection for the payment or the reimbursement of lease fees for the period of the state of emergency for the Deepwater Horizon oil spill; specifying conditions for eligibility; requiring an application to the Department of Environmental Protection; requiring the Chief Financial Officer to use the full extent of

the law to recover payments from the responsible party or other independently administered claims process; providing a short title for certain sections of the act; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senators Bennett and Lynn—

**CS for SB 276**—A bill to be entitled An act relating to procurement; requiring that the Chief Financial Officer review and conduct an analysis of the procurement process for the design, build, and maintenance of state buildings and facilities; requiring that the Chief Financial Officer submit a report to the Legislature by a specified date; amending s. 287.055, F.S.; authorizing a governmental agency or school board to reopen negotiations with a selected firm following termination of negotiations with other firms; providing an effective date.

By the Committee on Health Regulation; and Senators Richter and Sobel—

**CS for SB 312**—A bill to be entitled An act relating to the practice of dentistry; requiring persons who apply for licensure renewal as a dentist or dental hygienist to furnish certain information to the Department of Health in a dental workforce survey; requiring the Board of Dentistry to issue a nondisciplinary citation and a notice for failure to complete the survey within a specified time; providing notification requirements for the citation; requiring the department to serve as the coordinating body for the purpose of collecting, disseminating, and updating dental workforce data; requiring the department to maintain a database regarding the state’s dental workforce; requiring the department to develop strategies to maximize federal and state programs and to work with an advisory body to address matters relating to the state’s dental workforce; providing membership of the advisory body; providing for members of the advisory body to serve without compensation; requiring the department to act as a clearinghouse for collecting and disseminating information regarding the dental workforce; requiring the department and the board to adopt rules; providing legislative intent regarding implementation of the act within existing resources; amending s. 499.01, F.S.; authorizing certain business entities to pay for prescription drugs obtained by practitioners licensed under ch. 466, F.S.; amending s. 624.91, F.S.; revising the membership of the board of directors of the Florida Healthy Kids Corporation to include a member nominated by the Florida Dental Association and appointed by the Governor; providing an effective date.

By the Committee on Health Regulation; and Senators Richter and Sobel—

**CS for SB 314**—A bill to be entitled An act relating to public records; providing an exemption from public-records requirements for information contained in dental workforce surveys submitted by dentists or dental hygienists to the Department of Health as a condition for license renewal; providing exceptions to the exemption; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

By the Committee on Rules Subcommittee on Ethics and Elections; and Senator Gaetz—

**CS for SB 378**—A bill to be entitled An act relating to the federal write-in absentee ballot; amending s. 101.6952, F.S.; authorizing absent uniformed services voters and overseas voters to use the federal write-in absentee ballot to vote in any federal and certain state or local elections, under certain circumstances; prescribing requirements for designating candidate choices; providing for the disposition of valid votes involving joint candidacies; allowing for abbreviations, misspellings, and other minor variations in the name of an office, candidate, or political party; authorizing the submission of multiple ballots under certain circumstances; detailing circumstances under which votes in federal, state, and local races on the federal write-in absentee ballot will be canvassed; amending s. 101.5614, F.S.; establishing certain canvassing procedures for federal write-in absentee ballots; amending s. 102.166, F.S.; directing the Department of State to adopt rules to determine what constitutes a valid vote on a federal write-in absentee ballot; providing restrictions;

providing minimum requirements; reenacting s. 102.166(5), F.S., to incorporate the amendment to s. 101.5614, F.S., in a reference thereto; amending s. 104.18, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Wise—

**CS for SB 380**—A bill to be entitled An act relating to the training and certification of child welfare personnel; amending s. 402.40, F.S.; revising legislative intent; defining the terms “child welfare certification,” “core competency,” “preservice curriculum,” and “third-party credentialing entity”; providing required criteria for the approval of credentialing entities that develop and administer certification programs for persons who provide child welfare services; revising the use of the Child Welfare Training Trust Fund within the Department of Children and Family Services; revising provisions relating to preservice curricula; requiring persons who provide child welfare services to be certified by a third-party credentialing entity; allowing entities to add to or augment preservice curriculum; allowing entities to contract for training; requiring persons to master core competencies; providing for recognition for currently certified persons; deleting requirements relating to certification and trainer qualifications; deleting provisions relating to training academies; amending s. 402.731, F.S.; authorizing approval of third-party credentialing entities; providing an effective date.

By the Committee on Criminal Justice; and Senators Wise, Fasano, and Latvala—

**CS for SB 400**—A bill to be entitled An act relating to treatment-based drug court programs; amending s. 397.334, F.S.; requiring all offenders sentenced to a postadjudicatory drug court program who are drug court participants and who are the subject of a violation of probation or community control hearing under specified provisions to have the violation of probation or community control heard by the judge presiding over the drug court program; providing that treatment-based drug court programs may include postadjudicatory programs provided under specified provisions; amending s. 921.0026, F.S.; increasing the number of Criminal Punishment Code scoresheet total sentence points that a defendant may have and be eligible for a postadjudicatory treatment-based drug court program; amending s. 948.01, F.S.; increasing the number of Criminal Punishment Code scoresheet total sentence points that a defendant may have and be eligible for a postadjudicatory treatment-based drug court program; amending s. 948.06, F.S.; making defendants other than those who have violated probation or community control by a failed or suspect substance abuse test eligible for postadjudicatory treatment-based drug court programs; increasing the number of Criminal Punishment Code scoresheet total sentence points that a defendant may have and be eligible for a postadjudicatory treatment-based drug court program; amending s. 948.20, F.S.; increasing the number of Criminal Punishment Code scoresheet total sentence points that a defendant may have and be eligible for a postadjudicatory treatment-based drug court program; providing an effective date.

By the Committee on Criminal Justice; and Senators Negron and Evers—

**CS for SB 402**—A bill to be entitled An act relating to the regulation of firearms and ammunition; amending s. 790.33, F.S.; clarifying and reorganizing provisions that preempt to the state the entire field of regulation of firearms; prohibiting specified persons and entities, when acting in their official capacity, from regulating or attempting to regulate firearms or ammunition in any manner except as specifically authorized by s. 790.33, F.S., by general law, or by the State Constitution; providing a penalty for knowing and willful violations; eliminating provisions authorizing counties to adopt an ordinance requiring a waiting period between the purchase and delivery of a handgun; providing additional intent of the section; providing that public funds may not be used to defend the unlawful conduct of any person charged with a knowing and willful violation of the section; providing exceptions; providing fines for governmental entities in whose service or employ the provisions of the section are knowingly and willfully violated; providing for investigation of complaints of criminal violations of the section and prosecution of violators by the state attorney; providing for termination of employment or contract or removal from office of a person acting in an official capacity

who knowingly and willfully violates any provision of the section; providing for declarative and injunctive relief for specified persons or organizations; providing for specified damages and interest; providing for seizure of certain vehicles for specified nonpayment of damages; providing exceptions to prohibitions of the section; providing an effective date.

By the Committee on Health Regulation; and Senators Sobel, Gaetz, Fasano, Rich, Altman, and Garcia—

**CS for SB 406**—A bill to be entitled An act relating to the Florida Kidcare program; amending s. 1006.06, F.S.; requiring school districts to collaborate with the Florida Kidcare program to use the application form for the school breakfast and lunch programs to provide information about the Florida Kidcare program and to authorize data on the application form be shared with state agencies and the Florida Healthy Kids Corporation and its agents; authorizing each school district the option to share the data electronically; requiring interagency agreements to ensure that the data exchanged is protected from unauthorized disclosure and is used only for enrollment in the Florida Kidcare program; amending s. 624.91, F.S.; requiring the Florida Healthy Kids Corporation to include use of the school breakfast and lunch application form in the corporation’s plan for publicizing the program; providing an effective date.

By the Committee on Banking and Insurance; and Senators Richter and Hays—

**CS for SB 408**—A bill to be entitled An act relating to property and casualty insurance; amending s. 215.555, F.S.; revising the definition of “losses,” relating to the Florida Hurricane Catastrophe Fund, to exclude certain losses; providing applicability; amending s. 624.407, F.S.; revising the amount of surplus funds required for domestic insurers applying for a certificate of authority after a certain date; amending s. 624.408, F.S.; revising the minimum surplus that must be maintained by certain insurers; authorizing the Office of Insurance Regulation to reduce the surplus requirement under specified circumstances; amending s. 624.4095, F.S.; excluding certain premiums for federal multiple-peril crop insurance from calculations for an insurer’s gross writing ratio; requiring insurers to disclose the gross written premiums for federal multiple-peril crop insurance in a financial statement; amending s. 624.424, F.S.; revising the frequency that an insurer may use the same accountant or partner to prepare an annual audited financial report; amending s. 626.854, F.S.; providing limitations on the amount of compensation that may be received by a public adjuster for a reopened or supplemental claim; providing statements that may be considered deceptive or misleading if made in any public adjuster’s advertisement or solicitation; providing a definition for the term “written advertisement”; requiring that a disclaimer be included in any public adjuster’s written advertisement; providing requirements for such disclaimer; requiring certain persons who act on behalf of an insurer to provide notice to the insurer, claimant, public adjuster, or legal representative for an onsite inspection of the insured property; authorizing the insured or claimant to deny access to the property if notice is not provided; requiring the public adjuster to ensure prompt notice of certain property loss claims; providing that an insurer be allowed to interview the insured directly about the loss claim; prohibiting the insurer from obstructing or preventing the public adjuster from communicating with the insured; requiring that the insurer communicate with the public adjuster in an effort to reach an agreement as to the scope of the covered loss under the insurance policy; prohibiting a public adjuster from restricting or preventing persons acting on behalf of the insured from having reasonable access to the insured or the insured’s property; prohibiting a public adjuster from restricting or preventing the insured’s adjuster from having reasonable access to or inspecting the insured’s property; authorizing the insured’s adjuster to be present for the inspection; prohibiting a licensed contractor or subcontractor from adjusting a claim on behalf of an insured if such contractor or subcontractor is not a licensed public adjuster; providing an exception; amending s. 626.8651, F.S.; requiring that a public adjuster apprentice complete a minimum number of hours of continuing education to qualify for licensure; amending s. 626.8796, F.S.; providing requirements for a public adjuster contract; creating s. 626.70132, F.S.; requiring that notice of a claim, supplemental claim, or reopened claim be given to the insurer within a specified period after a windstorm or hurricane occurs; providing a definition for the terms



“supplemental claim” or “reopened claim”; providing applicability; repealing s. 624.0613(4), F.S., relating to the requirement that the consumer advocate for the Chief Financial Officer prepare an annual report card for each personal residential property insurer; amending s. 627.062, F.S.; requiring that the office issue an approval rather than a notice of intent to approve following its approval of a file and use filing; deleting an obsolete provision; prohibiting the Office of Insurance Regulation from, directly or indirectly, impeding the right of an insurer to acquire policyholders, advertise or appoint agents, or regulate agent commissions; revising the information that must be included in a rate filing relating to certain reinsurance or financing products; deleting a provision that prohibited an insurer from making certain rate filings within a certain period of time after a rate increase; deleting a provision prohibiting an insurer from filing for a rate increase within 6 months after it makes certain rate filings; deleting obsolete provisions relating to legislation enacted during the 2003 Special Session D of the Legislature; amending s. 627.0629, F.S.; providing legislative intent that insurers provide consumers with accurate pricing signals for alterations in order to minimize losses, but that mitigation discounts not result in a loss of income for the insurer; requiring rate filings for residential property insurance to include actuarially reasonable debits that provide proper pricing; providing for an increase in base rates if mitigation discounts exceed the aggregate reduction in expected losses; deleting obsolete provisions; deleting a requirement that the Office of Insurance Regulation propose a method for establishing discounts, debits, credits, and other rate differentials for hurricane mitigation by a certain date; requiring the Financial Services Commission to adopt rules relating to such debits by a certain date; deleting a provision that prohibits an insurer from including an expense or profit load in the cost of reinsurance to replace the Temporary Increase in Coverage Limits; conforming provisions to changes made by the act; amending s. 627.351, F.S.; renaming the “high-risk account” as the “coastal account”; revising the conditions under which the Citizens policyholder surcharge may be imposed; providing that members of the Citizens Property Insurance Corporation Board of Governors are not prohibited from practicing in a certain profession if not prohibited by law or ordinance; prohibiting board members from voting on certain measures; deleting a requirement that the board reduce the boundaries of certain high-risk areas eligible for wind-only coverages under certain circumstances; amending s. 627.3511, F.S.; conforming provisions to changes made by the act; amending s. 627.4133, F.S.; revising the requirements for providing an insured with notice of nonrenewal, cancellation, or termination of personal lines or commercial residential property insurance; authorizing an insurer to cancel policies after 45 days’ notice if the Office of Insurance Regulation determines that the cancellation of policies is necessary to protect the interests of the public or policyholders; authorizing the Office of Insurance Regulation to place an insurer under administrative supervision or appoint a receiver upon the consent of the insurer under certain circumstances; creating s. 627.43141, F.S.; providing definitions; requiring the delivery of a “Notice of Change in Policy Terms” under certain circumstances; specifying requirements for such notice; specifying actions constituting proof of notice; authorizing policy renewals to contain a change in policy terms; providing that receipt of payment by an insurer is deemed acceptance of new policy terms by an insured; providing that the original policy remains in effect until the occurrence of specified events if an insurer fails to provide notice; providing intent; amending s. 627.7011, F.S.; requiring the insurer to pay the actual cash value of an insured loss for a dwelling, less any applicable deductible; requiring a policyholder to enter into a contract for the performance of building and structural repairs unless waived by the insurer; restricting insurers and contractors from requiring advance payments for repairs and expenses; authorizing an insurer to limit the initial payment for personal property to the actual cash value of the property to be replaced and to require the insured to provide receipts for purchases; requiring the insurer to provide notice of this process in the insurance contract; prohibiting an insurer from requiring the insured to advance payment; amending s. 627.70131, F.S.; specifying application of certain time periods to initial or supplemental property insurance claim notices and payments; providing legislative findings with respect to 2005 statutory changes relating to sinkhole insurance coverage and statutory changes in this act; amending s. 627.706, F.S.; authorizing an insurer to limit coverage for catastrophic ground cover collapse to the principal building and to have discretion to provide additional coverage; allowing the deductible to include costs relating to an investigation of whether sinkhole activity is present; revising definitions; defining the term “structural damage”; providing an insurer with discretion to provide a policyholder with an opportunity to purchase an endorsement to sinkhole coverage;

placing a 2-year statute of repose on claims for sinkhole coverage; amending s. 627.7061, F.S.; conforming provisions to changes made by the act; repealing s. 627.7065, F.S., relating to the establishment of a sinkhole database; amending s. 627.707, F.S.; revising provisions relating to the investigation of sinkholes by insurers; deleting a requirement that the insurer provide a policyholder with a statement regarding testing for sinkhole activity; providing a time limitation for demanding sinkhole testing by a policyholder and entering into a contract for repairs; requiring all repairs to be completed within a certain time; providing exceptions; providing a criminal penalty on a policyholder for accepting rebates from persons performing repairs; amending s. 627.7073, F.S.; revising provisions relating to inspection reports; providing that the presumption that the report is correct shifts the burden of proof; revising the reports that an insurer must file with the clerk of the court; requiring the policyholder to file certain reports as a precondition to accepting payment; amending s. 627.7074, F.S.; revising provisions relating to neutral evaluation; requiring evaluation in order to make certain determinations; requiring that the neutral evaluator be allowed access to structures being evaluated; providing grounds for disqualifying an evaluator; allowing the Department of Financial Services to appoint an evaluator if the parties cannot come to agreement; revising the timeframes for scheduling a neutral evaluation conference; authorizing an evaluator to enlist another evaluator or other professionals; providing a time certain for issuing a report; providing that certain information is confidential; revising provisions relating to compliance with the evaluator’s recommendations; providing that the evaluator is an agent of the department for the purposes of immunity from suit; requiring the department to adopt rules; amending s. 627.712, F.S.; conforming provisions to changes made by the act; providing effective dates.

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By the Committee on Health Regulation; and Senator Oelrich—

**CS for SB 414**—A bill to be entitled An act relating to the Prostate Cancer Awareness Program; amending s. 381.911, F.S.; revising the structure and objectives of the Prostate Cancer Awareness Program; authorizing the University of Florida Prostate Disease Center, in collaboration with other organizations and institutions, to increase community education and public awareness of prostate cancer; requiring the University of Florida Prostate Disease Center to establish an advisory council to replace the existing advisory committee; providing for membership and duties of the advisory council; requiring an annual report to the Governor, Legislature, and State Surgeon General; providing an effective date.

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By the Committee on Judiciary; and Senator Latvala—

**CS for SB 426**—A bill to be entitled An act relating to service of process; amending ss. 48.021 and 48.27, F.S.; authorizing certified process servers to serve writs of possession in actions for possession of residential property; amending s. 83.62, F.S.; authorizing a landlord to select a certified process server to serve a writ of possession; requiring a certified process server to provide notice of the posting of the writ to the sheriff; conforming provisions; providing an effective date.

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By the Committee on Criminal Justice; and Senator Evers—

**CS for SB 432**—A bill to be entitled An act relating to the privacy of firearms owners; creating s. 790.338, F.S.; providing that inquiries by physicians or other medical personnel concerning the ownership of a firearm by a patient or the family of a patient or the presence of a firearm in a private home or other domicile of a patient or the family of a patient violates the privacy of the patient or the patient’s family members, respectively; prohibiting conditioning the receipt of medical treatment or care on a person’s willingness or refusal to disclose personal and private information unrelated to medical treatment in violation of an individual’s privacy contrary to specified provisions; prohibiting entry of certain information concerning firearms into medical records or disclosure of such information by specified individuals; providing non-criminal penalties; providing for prosecution of violations; requiring that the Attorney General be notified of prosecution of violations; providing for collection of fines by the Attorney General in certain circumstances; providing exemptions; providing an effective date.

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By the Committee on Community Affairs; and Senators Latvala and Fasano—

**CS for SB 434**—A bill to be entitled An act relating to the assessment of residential real property; creating s. 193.624, F.S.; providing definitions; prohibiting adding the value of certain improvements to the assessed value of certain real property; providing a limitation on the assessed value of certain real property; providing application; providing procedural requirements and limitations; requiring a nonrefundable filing fee; amending ss. 193.155 and 193.1554, F.S.; specifying additional exceptions to assessments of homestead and nonhomestead property at just value; amending s. 196.012, F.S.; deleting a definition; conforming a cross-reference; amending ss. 196.121 and 196.1995, F.S.; conforming cross-references; repealing s. 196.175, F.S., relating to the renewable energy source property tax exemption; providing for application; providing an effective date.

By the Committee on Community Affairs; and Senators Bogdanoff and Benacquisto—

**CS for SB 444**—A bill to be entitled An act relating to scrutinized companies; creating s. 287.135, F.S.; providing definitions; prohibiting a state agency or local governmental entity from contracting for goods and services of more than a certain amount with a company that is on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List; providing for a contract provision that allows for termination of the contract if the company is found to have been placed on such list; providing exceptions; providing for a civil action; providing penalties, including attorney's fees and costs; providing a statute of repose; prohibiting a private right of action; requiring the Department of Management Services to notify the Attorney General after the act becomes law; providing that the act becomes inoperative if federal law ceases to authorize states to enact such contracting prohibitions; providing an effective date.

By the Committee on Community Affairs; and Senator Wise—

**CS for SB 480**—A bill to be entitled An act relating to the Florida Endowment for Vocational Rehabilitation; amending s. 413.615, F.S.; removing a provision that requires the State Board of Administration to invest and reinvest moneys in the endowment fund for the Florida Endowment for Vocational Rehabilitation; requiring that a specified percent of the remainder of all civil penalties received by a county court and after distribution pursuant to ch. 318, F.S., be remitted to the Department of Revenue on a monthly basis for deposit in the endowment fund; requiring that a specified percent of the additional fine assessed for violating traffic regulations protecting mobility-impaired persons be remitted to the Department of Revenue on a monthly basis for deposit in the endowment fund; providing an effective date.

By the Committee on Community Affairs; and Senator Bogdanoff—

**CS for SB 506**—A bill to be entitled An act relating to economic development; amending s. 196.012, F.S.; revising the definitions of the terms “new business” and “expansion of an existing business”; amending s. 196.1995, F.S.; authorizing the board of county commissioners of a charter county to call and hold a referendum to determine whether to grant economic development ad valorem tax exemptions; revising the language of ballot questions relating to the authority to grant economic development tax exemptions; providing for application of a provision limiting the calling of another referendum within a certain time period; specifying additional information that must be included in a written application requesting adoption of an ordinance granting an economic development ad valorem tax exemption; specifying factors for a board of county commissioners or governing authority of a municipality to consider when deciding whether to approve or reject applications for economic development tax exemptions; providing legislative intent; limiting the allowable duration of an economic development tax exemption granted by a county or municipal ordinance; authorizing written tax exemption agreements consistent with the act upon approval of a tax exemption application; specifying that the written tax agreement must require the applicant to report certain information at a specific time before expiration of the exemption; authorizing the board of county commissioners or the governing authority of the municipality to revoke,

in whole or in part, the exemption under certain circumstances; providing an effective date.

By the Committee on Higher Education; and Senator Oelrich—

**CS for SB 654**—A bill to be entitled An act relating to student fees; amending ss. 1009.22 and 1009.23, F.S.; authorizing the Board of Trustees of Santa Fe College to establish a transportation access fee for students enrolled at Santa Fe College, including students enrolled in workforce education programs; requiring that revenue from the fee be used only to provide or improve access to transportation services; limiting the amount of the fee; providing a timeframe for a fee increase and implementation of an increase; requiring that a referendum be held by the student government to approve the application of the fee; prohibiting the inclusion of the fee in calculating the amount a student receives under Florida Bright Futures Scholarship Program awards; providing an effective date.

By the Committee on Commerce and Tourism; and Senators Detert and Gaetz—

**CS for SB 728**—A bill to be entitled An act relating to unemployment compensation; amending s. 213.053, F.S.; increasing the number of employer payroll service providers who qualify for access to unemployment tax information by filing a memorandum of understanding; amending s. 443.036, F.S.; revising the definitions for “available for work,” “earned income,” “misconduct,” and “unemployment”; adding a definition for “initial skills review”; amending s. 443.091, F.S.; revising requirements for making continued claims for benefits; requiring that an individual claiming benefits report certain information and participate in an initial skills review; providing an exception; specifying criteria for determining an applicant's availability for work; amending s. 443.101, F.S.; clarifying “good cause” for voluntarily leaving employment; specifying acts that are “gross misconduct” for purposes of discharging an employee and disqualifying him or her for benefits; revising the criteria for determining suitable work to reduce the number of weeks a person may receive benefits before having to accept a job that pays a certain amount; disqualifying a person for benefits due to the receipt of severance pay; revising provisions relating to the effect of criminal acts on eligibility for benefits; disqualifying an individual for benefits for any week he or she is incarcerated; amending s. 443.111, F.S.; conforming provisions to changes made by the act; amending s. 443.1115, F.S.; conforming cross-references; revising, readopting, and amending s. 443.1117, F.S., relating to temporary extended benefits; providing for retroactive application; providing for applicability relating to extended benefits for certain weeks and for periods of high unemployment; providing for applicability; amending s. 443.1216, F.S.; providing that employee leasing companies may make a one-time election to report leased employees under the respective unemployment account of each leasing company client; providing procedures and application for such election; conforming a cross-reference; amending s. 443.141, F.S.; providing an employer payment schedule for 2012, 2013, and 2014 contributions; requiring an employer to pay a fee for paying contributions on a quarterly schedule; providing penalties, interest, and fees on delinquent contributions; amending s. 443.151, F.S.; requiring claims to be submitted by electronic means; conforming cross-references; specifying the allowable forms of evidence in an appeal hearing; specifying the judicial venue for filing a notice of appeal; providing for repayment of benefits in cases of agency error; amending s. 443.171, F.S.; specifying that evidence of mailing an agency document creates a rebuttable presumption; providing that the act fulfills an important state interest; providing effective dates.

By the Committee on Communications, Energy, and Public Utilities; and Senator Wise—

**CS for SB 734**—A bill to be entitled An act relating to assault or battery on utility workers; amending s. 784.07, F.S.; defining the term “utility worker”; providing for reclassification of certain offenses against utility workers; reenacting and amending s. 921.0022(3)(d), (f), and (g), F.S., relating to the offense severity ranking chart of the Criminal Punishment Code, to incorporate the amendments made to s. 784.07, F.S., in references thereto; providing an effective date.

By the Committee on Education Pre-K - 12; and Senators Wise, Lynn, and Gaetz—

**CS for SB 736**—A bill to be entitled An act relating to education personnel; providing a short title; amending s. 1012.34, F.S.; revising provisions related to the evaluation of instructional personnel and school administrators; requiring that the Department of Education approve school district evaluation systems; requiring the Department of Education to collect evaluation information from school districts and to report such information to the Governor and Legislature; providing requirements for the evaluation systems; requiring the Commissioner of Education to select formulas for school districts to use in measuring growth in learning by students; requiring the State Board of Education to adopt formulas; conforming provisions to changes made by the act; amending s. 1008.22, F.S.; revising provisions requiring school districts to develop and implement end-of-course assessments; amending s. 1012.22, F.S.; revising the powers and duties of the district school board with respect to school district compensation and salary schedules; requiring that certain performance criteria be included in the adopted schedules; revising the differentiated pay provisions; creating s. 1012.335, F.S.; providing definitions; revising the contract requirements for instructional personnel hired on or after a certain date; requiring that the State Board of Education adopt rules defining the term “just cause”; providing guidelines for such term; providing that certain individuals who are hired as instructional personnel are ineligible for contracts issued under s. 1012.33, F.S.; amending s. 1002.33, F.S.; requiring charter schools to adopt a salary schedule for instructional personnel and school administrators which meets certain requirements; requiring charter schools to comply with requirements relating to personnel evaluation procedures and criteria and certain contracts; amending s. 1003.621, F.S.; providing additional requirements for personnel in academically high-performing school districts; amending s. 1012.07, F.S.; revising the methodology for determining critical teacher shortage areas; amending s. 1012.2315, F.S.; providing additional reporting requirements concerning instructional personnel and school administrator assignments; amending s. 1012.27, F.S.; revising the criteria for transfer requests by teachers; conforming provisions to changes made by the act; amending s. 1012.28, F.S.; authorizing a principal to refuse to accept the placement or transfer of instructional personnel under certain circumstances; amending s. 1012.33, F.S.; revising provisions relating to contracts with certain education personnel; requiring that a district school board’s decision to retain personnel be primarily based on the employee’s performance; repealing s. 1012.52, F.S., relating to legislative intent for teacher quality; amending s. 1012.795, F.S.; conforming provisions to changes made by the act; authorizing school districts to seek an exemption from the State Board of Education from the requirement of certain laws; authorizing the State Board of Education to adopt rules; providing that a certain specified provision of law does not apply to any rulemaking required to administer the act; providing for the repeal of certain special acts or general laws of local application related to instructional personnel in public schools or school districts; providing an exception; providing for severability; providing for application of a specified provision of the act; providing effective dates.

By the Committees on Budget; and Education Pre-K - 12; and Senators Wise, Lynn, and Gaetz—

**CS for CS for SB 736**—A bill to be entitled An act relating to education personnel; providing a short title; amending s. 1012.34, F.S.; revising provisions relating to the evaluation of instructional personnel and school administrators; requiring the Department of Education to approve each school district’s instructional personnel and school administrator evaluation systems; requiring reporting by the Commissioner of Education relating to the evaluation systems; providing requirements and revising procedures and criteria for the evaluation systems; requiring the commissioner to approve or select and the State Board of Education to adopt formulas for school districts to use in measuring student learning growth; requiring the state board to adopt rules relating to standards and measures for implementation of the evaluation systems; amending s. 1008.22, F.S.; requiring school districts to administer assessments for each course offered in the district; amending s. 1012.22, F.S.; revising provisions relating to instructional personnel and school administrator compensation and salary schedules; providing requirements for a performance salary schedule, a grandfathered salary schedule, adjustments, and supplements; revising criteria for the promotion of instructional personnel; creating s. 1012.335,

F.S.; providing employment criteria for instructional personnel hired on or after July 1, 2011; providing definitions; providing grounds for suspension or dismissal; requiring rules to define the term “just cause”; providing that certain individuals who are hired as instructional personnel are ineligible for contracts issued under s. 1012.33, F.S.; amending s. 1002.33, F.S.; requiring charter schools to comply with provisions relating to compensation and salary schedules, workforce reductions, contracts with instructional personnel hired on or after July 1, 2011, and certain requirements for performance evaluations; amending s. 1003.621, F.S.; requiring academically high-performing school districts to comply with additional requirements for personnel; amending s. 1006.09, F.S.; conforming provisions to changes made by the act; amending s. 1012.07, F.S.; revising the methodology for determining critical teacher shortage areas; amending s. 1012.2315, F.S.; providing reporting requirements relating to instructional personnel and school administrator performance; amending s. 1012.27, F.S.; revising the criteria for transferring a teacher; conforming provisions to changes made by the act; amending s. 1012.28, F.S.; authorizing a principal to refuse to accept the placement or transfer of instructional personnel under certain circumstances; amending s. 1012.33, F.S.; revising provisions relating to contracts with certain education personnel; revising just cause grounds for dismissal; deleting provisions to conform to changes made by the act; revising the criteria for renewing a professional service contract; requiring that a district school board’s decision to retain personnel be primarily based on the employee’s performance; repealing s. 1012.52, F.S., relating to legislative intent and findings to improve student achievement and teacher quality; amending s. 1012.795, F.S.; conforming provisions to changes made by the act; authorizing an exemption from requirements for performance evaluation systems and compensation and salary schedules for certain school districts; providing that specified provisions of law do not apply to rulemaking required to administer the act; providing for the repeal of certain special acts or general laws of local application relating to contracts for instructional personnel or school administrators; providing for application of specified provisions of the act; providing for severability; providing effective dates.

By the Committee on Transportation; and Senator Latvala—

**CS for SB 782**—A bill to be entitled An act relating to road and bridge designations; designating the Sgt. Thomas J. Baitinger, Officer Jeffrey A. Yaslowitz, and Officer David S. Crawford Memorial Highway in Pinellas County; designating the Officer Jeffrey A. Kocob and Officer David L. Curtis Memorial Highway in Hillsborough County; providing an effective date.

By the Committee on Agriculture; and Senator Hays—

**CS for SB 858**—A bill to be entitled An act relating to agriculture; amending s. 163.3162, F.S.; prohibiting a county from enforcing certain limits on the activity of a bona fide farm operation on agricultural land under certain circumstances; prohibiting a county from charging agricultural lands for stormwater management assessments and fees under certain circumstances; allowing an assessment to be collected if credits against the assessment are provided for implementation of best management practices; providing exemptions from certain restrictions on a county’s powers over the activity on agricultural land; providing a definition; providing for application; creating s. 163.3163, F.S.; creating the “Agricultural Land Acknowledgement Act”; providing legislative findings and intent; providing definitions; requiring an applicant for certain development permits to sign and submit an acknowledgement of certain contiguous agricultural lands as a condition of the political subdivision issuing the permits; specifying information to be included in the acknowledgement; requiring that the acknowledgement be recorded in the official county records; authorizing the Department of Agriculture and Consumer Services to adopt rules; amending s. 205.064, F.S.; authorizing a person selling certain agricultural products who is not a natural person to qualify for an exemption from obtaining a local business tax receipt; amending s. 322.01, F.S.; revising the term “farm tractor” for purposes of driver’s licenses; amending s. 604.15, F.S.; revising the term “agricultural products” to make tropical foliage exempt from regulation under provisions relating to dealers in agricultural products; amending s. 604.50, F.S.; exempting farm fences from the Florida Building Code; revising the term “nonresidential farm building”; exempting non-residential farm buildings and farm fences from county and municipal codes and fees; specifying that the exemptions do not apply to code

provisions implementing certain floodplain regulations; amending s. 624.4095, F.S.; requiring that gross written premiums for certain crop insurance not be included when calculating the insurer's gross writing ratio; requiring that liabilities for ceded reinsurance premiums be netted against the asset for amounts recoverable from reinsurers; requiring that insurers who write other insurance products disclose a breakout of the gross written premiums for crop insurance; amending s. 823.145, F.S.; expanding the materials used in agricultural operations that may be disposed of by open burning; providing certain limitations on open burning; providing an effective date.

By the Committees on Budget Subcommittee on Finance and Tax; and Budget Subcommittee on Finance and Tax; and Senators Bogdanoff, Alexander, and Gaetz—

**CS for SJR 958**—A joint resolution proposing an amendment to Section 1 of Article VII and the creation of Section 19 of Article VII and Section 32 of Article XII of the State Constitution to replace the existing state revenue limitation with a new state revenue limitation based on inflation and population changes.

### REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Education Pre-K - 12; and Senators Wise, Lynn, and Gaetz—

**CS for SB 736**—A bill to be entitled An act relating to education personnel; providing a short title; amending s. 1012.34, F.S.; revising provisions related to the evaluation of instructional personnel and school administrators; requiring that the Department of Education approve school district evaluation systems; requiring the Department of Education to collect evaluation information from school districts and to report such information to the Governor and Legislature; providing requirements for the evaluation systems; requiring the Commissioner of Education to select formulas for school districts to use in measuring growth in learning by students; requiring the State Board of Education to adopt formulas; conforming provisions to changes made by the act; amending s. 1008.22, F.S.; revising provisions requiring school districts to develop and implement end-of-course assessments; amending s. 1012.22, F.S.; revising the powers and duties of the district school board with respect to school district compensation and salary schedules; requiring that certain performance criteria be included in the adopted schedules; revising the differentiated pay provisions; creating s. 1012.335, F.S.; providing definitions; revising the contract requirements for instructional personnel hired on or after a certain date; requiring that the State Board of Education adopt rules defining the term “just cause”; providing guidelines for such term; providing that certain individuals who are hired as instructional personnel are ineligible for contracts issued under s. 1012.33, F.S.; amending s. 1002.33, F.S.; requiring charter schools to adopt a salary schedule for instructional personnel and school administrators which meets certain requirements; requiring charter schools to comply with requirements relating to personnel evaluation procedures and criteria and certain contracts; amending s. 1003.621, F.S.; providing additional requirements for personnel in academically high-performing school districts; amending s. 1012.07, F.S.; revising the methodology for determining critical teacher shortage areas; amending s. 1012.2315, F.S.; providing additional reporting requirements concerning instructional personnel and school administrator assignments; amending s. 1012.27, F.S.; revising the criteria for transfer requests by teachers; conforming provisions to changes made by the act; amending s. 1012.28, F.S.; authorizing a principal to refuse to accept the placement or transfer of instructional personnel under certain circumstances; amending s. 1012.33, F.S.; revising provisions relating to contracts with certain education personnel; requiring that a district school board's decision to retain personnel be primarily based on the employee's performance; repealing s. 1012.52, F.S., relating to legislative intent for teacher quality; amending s. 1012.795, F.S.; conforming provisions to changes made by the act; authorizing school districts to seek an exemption from the State Board of Education from the requirement of certain laws; authorizing the State Board of Education to adopt rules; providing that a certain specified provision of law does not apply to any rulemaking required to administer the act; providing for the repeal of certain special acts or general laws of local application related to instructional personnel in public schools or school districts; providing an exception; pro-

viding for severability; providing for application of a specified provision of the act; providing effective dates.

—was referred to the Committees on Education Pre-K - 12; and Budget.

By the Committee on Agriculture; and Senator Hays—

**CS for SB 858**—A bill to be entitled An act relating to agriculture; amending s. 163.3162, F.S.; prohibiting a county from enforcing certain limits on the activity of a bona fide farm operation on agricultural land under certain circumstances; prohibiting a county from charging agricultural lands for stormwater management assessments and fees under certain circumstances; allowing an assessment to be collected if credits against the assessment are provided for implementation of best management practices; providing exemptions from certain restrictions on a county's powers over the activity on agricultural land; providing a definition; providing for application; creating s. 163.3163, F.S.; creating the “Agricultural Land Acknowledgement Act”; providing legislative findings and intent; providing definitions; requiring an applicant for certain development permits to sign and submit an acknowledgement of certain contiguous agricultural lands as a condition of the political subdivision issuing the permits; specifying information to be included in the acknowledgement; requiring that the acknowledgement be recorded in the official county records; authorizing the Department of Agriculture and Consumer Services to adopt rules; amending s. 205.064, F.S.; authorizing a person selling certain agricultural products who is not a natural person to qualify for an exemption from obtaining a local business tax receipt; amending s. 322.01, F.S.; revising the term “farm tractor” for purposes of driver's licenses; amending s. 604.15, F.S.; revising the term “agricultural products” to make tropical foliage exempt from regulation under provisions relating to dealers in agricultural products; amending s. 604.50, F.S.; exempting farm fences from the Florida Building Code; revising the term “nonresidential farm building”; exempting nonresidential farm buildings and farm fences from county and municipal codes and fees; specifying that the exemptions do not apply to code provisions implementing certain floodplain regulations; amending s. 624.4095, F.S.; requiring that gross written premiums for certain crop insurance not be included when calculating the insurer's gross writing ratio; requiring that liabilities for ceded reinsurance premiums be netted against the asset for amounts recoverable from reinsurers; requiring that insurers who write other insurance products disclose a breakout of the gross written premiums for crop insurance; amending s. 823.145, F.S.; expanding the materials used in agricultural operations that may be disposed of by open burning; providing certain limitations on open burning; providing an effective date.

—was referred to the Committees on Community Affairs; and Budget.

### REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Special Order Calendar Group submits the following bills to be placed on the Special Order Calendar for Tuesday, March 8, 2011: SCR 1202, SB 1204, CS for SJR 2.

Respectfully submitted,  
*John Thrasher, Chair*

The Committee on Criminal Justice recommends the following pass:  
SB 344

**The bill was referred to the Committee on Agriculture under the original reference.**

The Committee on Health Regulation recommends the following pass:  
SB 202

**The bill was referred to the Committee on Banking and Insurance under the original reference.**

The Committee on Banking and Insurance recommends the following pass: SM 484

The Committee on Budget Subcommittee on Education Pre-K - 12 Appropriations recommends the following pass: CS for SB 736

The Committee on Budget Subcommittee on General Government Appropriations recommends the following pass: SB 298

The Committee on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations recommends the following pass: CS for SM 214; SM 216; SM 218; SM 220

The Committee on Community Affairs recommends the following pass: CS for SB 94; SM 216; SM 218; SM 220; SB 298; SB 376 with 2 amendments; SB 382; SJR 390; SB 478; SB 870

The Committee on Criminal Justice recommends the following pass: SB 238

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 174; SB 176

The Committee on Judiciary recommends the following pass: SJR 2; SB 172

The Committee on Transportation recommends the following pass: SB 550; SB 552; CS for SB 654

**The bills contained in the foregoing reports were referred to the Committee on Budget under the original reference.**

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The Committee on Community Affairs recommends the following pass: SB 912

**The bill was referred to the Committee on Children, Families, and Elder Affairs under the original reference.**

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The Committee on Community Affairs recommends the following pass: SB 106

The Committee on Criminal Justice recommends the following pass: SB 366

The Committee on Education Pre-K - 12 recommends the following pass: SB 150

The Committee on Judiciary recommends the following pass: SB 142 with 1 amendment

The Committee on Regulated Industries recommends the following pass: SB 418; SB 462

**The bills contained in the foregoing reports were referred to the Committee on Commerce and Tourism under the original reference.**

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The Committee on Agriculture recommends the following pass: SB 722

The Committee on Banking and Insurance recommends the following pass: SB 634; SB 638

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 444 with 2 amendments

**The bills contained in the foregoing reports were referred to the Committee on Community Affairs under the original reference.**

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The Committee on Governmental Oversight and Accountability recommends the following pass: SB 146

The Committee on Transportation recommends the following pass: SB 118; SB 238

**The bills contained in the foregoing reports were referred to the Committee on Criminal Justice under the original reference.**

The Committee on Community Affairs recommends the following pass: SB 90 with 2 amendments

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 132

**The bills contained in the foregoing reports were referred to the Committee on Education Pre-K - 12 under the original reference.**

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The Committee on Communications, Energy, and Public Utilities recommends the following pass: SB 762

The Committee on Health Regulation recommends the following pass: SB 168

**The bills contained in the foregoing reports were referred to the Committee on Environmental Preservation and Conservation under the original reference.**

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The Committee on Agriculture recommends the following pass: SB 1046

The Committee on Community Affairs recommends the following pass: SB 174; SB 176; SB 224; SB 232; SB 874

The Committee on Health Regulation recommends the following pass: SB 420

The Committee on Judiciary recommends the following pass: SM 358; SB 568; SB 570; SB 572

**The bills contained in the foregoing reports were referred to the Committee on Governmental Oversight and Accountability under the original reference.**

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The Committee on Community Affairs recommends the following pass: SB 490

The Committee on Transportation recommends the following pass: SB 292

**The bills contained in the foregoing reports were referred to the Committee on Health Regulation under the original reference.**

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The Committee on Agriculture recommends the following pass: SB 344

The Committee on Community Affairs recommends the following pass: SB 172; SJR 210; SB 410; SB 998

The Committee on Education Pre-K - 12 recommends the following pass: SB 228

The Committee on Health Regulation recommends the following pass: SJR 2

**The bills contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.**

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The Committee on Rules recommends the following pass: SB 330

**The bill was referred to the Committee on Military Affairs, Space, and Domestic Security under the original reference.**

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The Committee on Budget recommends the following pass: CS for SJR 958

The Committee on Rules Subcommittee on Ethics and Elections recommends the following pass: SB 242 with 1 amendment; SB 330; SB 532

**The bills contained in the foregoing reports were referred to the Committee on Rules under the original reference.**

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The Committee on Budget recommends the following pass: CS for SB 142

The Committee on Rules recommends the following pass: SB 916; SB 924; SB 944; SB 946; CS for SJR 958; SCR 1202; SB 1204

**The bills were placed on the Calendar.**

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The Committee on Banking and Insurance recommends a committee substitute for the following: SB 408

The Committee on Budget Subcommittee on Finance and Tax recommends a committee substitute for the following: SJR 958

The Committee on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations recommends a committee substitute for the following: CS for SB 248

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 142

The Committee on Community Affairs recommends committee substitutes for the following: SM 214; SB 248; SB 434; SB 444

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 736

The Committee on Health Regulation recommends committee substitutes for the following: CS for SB 244; SB 414

The Committee on Higher Education recommends a committee substitute for the following: SB 84

The Committee on Judiciary recommends committee substitutes for the following: SJR 140; SB 170

The Committee on Transportation recommends a committee substitute for the following: SB 782

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Budget under the original reference.**

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The Committee on Banking and Insurance recommends a committee substitute for the following: SB 178

The Committee on Community Affairs recommends a committee substitute for the following: SB 506

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Commerce and Tourism under the original reference.**

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The Committee on Agriculture recommends a committee substitute for the following: SB 858

The Committee on Criminal Justice recommends a committee substitute for the following: SB 402

The Committee on Health Regulation recommends a committee substitute for the following: SB 94

The Committee on Judiciary recommends a committee substitute for the following: SB 426

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Community Affairs under the original reference.**

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The Committee on Communications, Energy, and Public Utilities recommends a committee substitute for the following: SB 734

The Committee on Health Regulation recommends a committee substitute for the following: SB 246

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Criminal Justice under the original reference.**

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The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 276

The Committee on Health Regulation recommends a committee substitute for the following: SB 406

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Education Pre-K - 12 under the original reference.**

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The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 380

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 90

The Committee on Health Regulation recommends committee substitutes for the following: SB 312; SB 314

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Governmental Oversight and Accountability under the original reference.**

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The Committee on Criminal Justice recommends committee substitutes for the following: SB 204; SB 432

The Committee on Transportation recommends a committee substitute for the following: SB 244

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Health Regulation under the original reference.**

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The Committee on Community Affairs recommends a committee substitute for the following: SB 480

**The bill with committee substitute attached was referred to the Committee on Higher Education under the original reference.**

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The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 728

The Committee on Community Affairs recommends a committee substitute for the following: SB 88

The Committee on Criminal Justice recommends a committee substitute for the following: SB 400

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.**

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The Committee on Rules Subcommittee on Ethics and Elections recommends a committee substitute for the following: SB 378

**The bill with committee substitute attached was referred to the Committee on Rules under the original reference.**

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The Committee on Higher Education recommends a committee substitute for the following: SB 654

**The bill with committee substitute attached was referred to the Committee on Transportation under the original reference.**

The Committee on Budget recommends committee substitutes for the following: SJR 2; CS for SB 736

**The bills with committee substitute attached were placed on the Calendar.**

**MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS**

**VETOED BILLS 2010 REGULAR SESSION**

**VETO OF CS FOR CS FOR SB 6**

The Honorable Kurt S. Browning  
Secretary of State

April 15, 2010

Dear Secretary Browning:

By the authority vested in me as the Governor of Florida, and under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you my objections to, Committee Substitute for Committee Substitute for Senate Bill 6, enacted during the 42nd Session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2010 and entitled:

An act relating to Education Personnel...

The decision to approve or veto a bill is one of the fundamental duties of the Governor. Since 2007, I have reviewed hundreds of proposed laws. More often than not, I sign bills approved by the Legislature because the process generally produces ideas which embody the ideals of representative government. Though sparingly, I have exercised the authority to veto legislation.

To proponents of a bill, a Governor's veto may be mischaracterized as ill informed or political. It is likely that my action today will be met with similar charges from supporters of SB 6. However, there is only one person who can accurately state the reason for a veto - the one who holds the pen.

Let me be clear; I veto SB 6 because this bill is contrary to my firmly held principle to act in the best interest of the People of Florida. I am confident in my decision today because I know it is the right thing to do for the People.

After reviewing the legislation, I have identified several issues of concern. First and foremost, this bill does not appropriately accommodate special education students and their dedicated teachers. These children can and do learn; however, there must be more consideration given to their individual needs than is afforded in this bill.

Further, the bill does encroach on local decision-making. At worst, it could result in an infringement upon the constitutional authority of school boards. While the bill allows school boards to create district policies, there are considerable directives given to local boards and a requirement for state sign-off before plans can be approved. Some of these directives are quite overreaching, such as not allowing multi-year teacher contracts, choosing arbitrary percentages for calculating a teacher's effectiveness, and permanently decertifying an excellent teacher in Florida who simply needed improvement two out of the previous five years on the job.

SB 6 places teachers in jeopardy of losing their jobs and teaching certificates without a clear understanding of how gains will be measured, and without taking into account circumstances beyond the control of teachers. Teachers have an incredible impact on the lives of their students, but they are not the only influence.

During the House debate and after the final passage of the bill, even the supporters of SB 6 acknowledged the imperfections of the bill. They were satisfied with the ability to come back next year for a glitch bill or

make corrections and clarifications in the implementing process. Such assurances are not enough for me to sign this legislation today.

Finally, I veto this bill because of the process by which it was passed. This legislation sped through committees without the meaningful input of parents, teachers, superintendents, and school boards. It was troubling to learn that the bill would not be amended after it passed in the Senate, particularly when more and more concerns were coming to light. As I articulated on the opening day of the 2010 Legislative Session, "It is not only the substance of those issues that is important; it is also the attitude with which you address them. These will determine whether you have done your job well."

The incredible outpouring of opposition by teachers, parents, students, superintendents, school boards, and legislators has greatly influenced my decision today. They brought to light many concerns that were not addressed in the amendatory process. As with any major legislation, stated goals sometimes do not match the words in the bill. That is why under normal circumstances bills can be meaningfully debated and changed so that flaws may be remedied.

In summary, I find the content of SB 6 and the manner of its adoption significantly flawed. Nonetheless, I believe in the stated goals of establishing differential and performance-based merit pay for classroom teachers, developing workable measures of student learning gains, and preparing students for their place in a global economy. These are worthy of future pursuit in a collaborative setting with participation of those who are directly impacted.

To those who may ask for a prescribed fix for SB 6, I say we must start over. This bill has deeply and negatively affected the morale of our teachers, parents, and students. They are not confident in our system because they do not believe that their voices were heard. They, like I, did not fathom that there would be no opportunity for meaningful deliberation and appropriate changes to this bill. Tens of thousands of Floridians have reached out to me asking for a veto of SB 6 and instead address the important goal of improving education in a more deliberative and open manner. Should the Legislature decide to go back to the drawing board, I believe it is critical that they heed the call of Floridians. To make such landmark changes, we must have the patience and wisdom to communicate effectively with the People.

As Governor, it is my responsibility to work ardently to position Florida for success on round two of "Race to the Top." Although Florida's first application was strong, we learned a very important lesson on the value of stakeholder participation. Like every good competitor, we will make strategic changes and raise our game. In the coming days I will announce the creation of a collaborative work group to thoroughly review and vet our application and suggest improvements that will help us win.

Florida has made tremendous gains in our education system. We cannot, we must not stop. As we move forward, let us ensure that we fulfill our highest calling, which is to honor the People for whom this government is established. The education of our children is far too important for us to do otherwise.

For this reason, I withhold my approval of Committee Substitute for Committee Substitute for Senate Bill 6, and do hereby veto the same.

Sincerely,  
Charlie Crist, Governor

**VETO OF CS FOR CS FOR SB 1004**

Interim Secretary Dawn K. Roberts  
Interim Secretary of State

June 1, 2010

Dear Interim Secretary Roberts:

By the authority vested in me as the Governor of Florida, and under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you my objections to, Committee Substitute for Committee Substitute for Senate Bill 1004, enacted during the 42nd Session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2010 and entitled:

An act relating to Local Government...

When I took office, I promised the people of Florida that government transactions and information would be open to public input and transparent in its execution. Competitive bidding by governmental entities protects the public's interest and assures the best use of taxpayers' dollars. Laws are in effect which require competitive bidding of county lease agreements. This law is sufficient to achieve balance and protection of the public's interest and enable county government officials to achieve the best bid.

Local governments should strive to adhere to competitive bidding standards. Because we are elected officials, we have a responsibility to conduct business in the open for all to compete. We should not modify laws in the name of ease in exchange for the public's trust.

For this reason, I withhold my approval of Committee Substitute for Committee Substitute for Senate Bill 1004, and do hereby veto the same.

Sincerely,  
Charlie Crist, Governor

#### VETO OF CS FOR CS FOR SB 1964

Interim Secretary Dawn K. Roberts  
Interim Secretary of State

June 1, 2010

Dear Interim Secretary Roberts:

By the authority vested in me as the Governor of Florida, and under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you my objections to, Committee Substitute for Committee Substitute for Senate Bill 1964, enacted during the 42nd Session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2010 and entitled:

An act relating to Design Professionals...

The bill limits the tort liability of design professionals for economic damages from a design defect. The design professionals affected by the bill include licensed engineers, surveyors, architects, interior designers, and landscape architects. This limit of liability grants unique privileges to design professionals by removing a consumer's right to bring a tort action against them for economic damages caused by their negligence. Other professionals, such as accountants, doctors, and lawyers, cannot similarly limit their professional duty of care.

An error in design may create significant economic damages to both business and home owners. I am concerned this bill fails to provide any alternate remedies and shifts the losses for design defects to consumers.

For the reasons stated above, I am hereby withholding my approval of Committee Substitute for Committee Substitute for Senate Bill 1964 and do hereby veto the same.

Sincerely,  
Charlie Crist, Governor

#### VETO OF CS FOR CS FOR SB 2044

Interim Secretary Dawn K. Roberts  
Interim Secretary of State

June 1, 2010

Dear Interim Secretary Roberts:

By the authority vested in me as Governor of the State of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you my objections to, Committee Substitute for Committee Substitute for Senate Bill 2044, enacted during the 42nd Session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2010 and entitled:

An act relating to Insurance...

Senate Bill 2044 makes numerous changes to the law relating primarily to residential property insurance. I am most concerned about the expansion of the current expedited rate filing procedure for property

insurers that makes it easier to increase Floridians premiums. During these very difficult economic times, Florida's consumers should not have to be concerned with an additional premium increase to their policy.

Additionally, the bill makes troubling changes to the way mitigation discounts are applied. Specifically, responsible Floridians who have already made investments to harden their homes could be unfairly penalized.

Therefore, I am withholding my approval of Committee Substitute for Committee Substitute for Senate Bill 2044, and do hereby veto the same.

Sincerely,  
Charlie Crist, Governor

**The bills, together with the Governor's objections thereto, were referred to the Committee on Rules.**

#### EXECUTIVE BUSINESS

The following Executive Order was filed with the Secretary:

#### EXECUTIVE ORDER NUMBER 10-260 (Executive Order of Suspension)

WHEREAS, Jeffrey Dwayne Carlson is presently serving as County Commissioner for Highlands County; and

WHEREAS, on November 22, 2010, The State Attorney for the Nineteenth Judicial Circuit of the State of Florida, filed an information alleging that Jeffrey Dwayne Carlson committed Boating Under the Influence Manslaughter, in violation of sections 327.35(1) and 327.35(3)(c)3, Florida Statutes, and Vessel Homicide, in violation of section 782.072(1), Florida Statutes; and

WHEREAS, violations of sections 327.35(1), 327.35(3)(c)3, and 782.072(1), Florida Statutes constitute felonies of second degree; and

WHEREAS, article IV, section 7, Florida Constitution, provides that the Governor may suspend from office any county officer for the commission of a felony; and

WHEREAS, it is in the best interest of the residents of Highlands County and the citizens of the State of Florida that Jeffrey Dwayne Carlson be immediately suspended from the public office which he now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, CHARLIE CRIST, Governor of Florida, pursuant to article IV, section 7, Florida Constitution, find as follows:

A. Jeffrey Dwayne Carlson is, and at all times material was, County Commissioner for Highlands County, Florida.

B. The office of County Commissioner for Highlands County is within the purview of the suspension powers of the Governor, pursuant to article IV, section 7, Florida Constitution.

C. The attached information alleges that Jeffrey Dwayne Carlson committed acts in violation of the laws of Florida. This suspension is predicated upon the attached information, which alleges conduct constituting felonies and is incorporated as if fully set forth in this Executive Order.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is issued, effective today:

*Section 1.* Jeffrey Dwayne Carlson is suspended from the public office which he now holds, to wit: County Commissioner for Highlands County, Florida.

*Section 2.* Jeffrey Dwayne Carlson is prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from today, until a further executive order is issued, or as otherwise provided by law.





IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, this 29th day of November, 2010.

Charlie Crist  
GOVERNOR

ATTEST:

Dawn K. Roberts

INTERIM SECRETARY OF STATE

**EXECUTIVE APPOINTMENTS WITHDRAWN**

The Honorable Mike Haridopolos  
President, the Florida Senate

February 2, 2011

Dear President Haridopolos:

Please be advised that today I am withdrawing the following gubernatorial appointments which are subject to Senate Confirmation but have not yet been confirmed:

Alafia River Basin Board

Bissonnette, Stephen J.

Apalachee Regional Planning Council, Region Two

Hatcher, H. Franklin  
Radford, Dawn D.

Barber's Board

Raines, Andrew J.  
Troup, Carl E.  
Vaughn, Thomas E.

Big Cypress Basin Board

Vaughn, John W.

Board of Acupuncture

Teisinger-Nicholson, Mary K.

Board of Architecture and Interior Design

Emo, Warren A.  
Reid, Jr., Johnstone

Board of Clinical Social Work, Marriage & Family Therapy, & Mental Health Counseling

Gillespy, Susan J.  
Otis, Sharon E.

Board of Dentistry

Edinger, Debra S.

Board of Directors, Enterprise Florida, Inc.

Peelen, Scott B.  
Fiorentino, T. Martin

Board of Hearing Aid Specialists

Hollern, Thomas M.  
Polhill, Leanne E.

Board of Landscape Architecture

Graham, Jr., Philip H.

Board of Medicine

Chizner, Michael A.  
Thomas, George

Board of Nursing

Newman, Jody B.

Board of Nursing Home Administrators

Butler, Michael S.  
Wishna, Harold

Board of Opticianry

Hess, Dan M.

Board of Orthotists and Prosthetists

Nilssen, Erik C.

Board of Pharmacy

Wilson, Robert H.

Board of Physical Therapy Practice

Baker, Karen S.  
Lohr, Clint E.

Board of Pilot Commissioners

Boue, Luis E.  
Clemente, Anthony J.  
Fox, John P.  
Sams, Matthew T.  
Smith, Thayer C.

Board of Podiatric Medicine

Evans, Chester A.  
Morris, Robert P.

Board of Professional Engineers

Earle, Jonathan F.

Board of Professional Geologists

Bush, Louie G.  
Dale, Mervin W.

Board of Psychology

Aufderheide, Dean H.  
Bloomfield, Stephen I.  
Orta, Luis E.

Board of Respiratory Care

DeJesus, William

Board of Trustees, Florida A&M University

Alston, Torey L.

Board of Trustees, University of Central Florida

Mantilla, Joseph I.

Board of Veterinary Medicine

O'Neil, Robert E.

Citrus County Hospital Board

Kirk, Susan M.

Coastal Rivers Basin Board

Musselmann, Fritz H.

Commission for Independent Education

Crocitto, Jr., Peter F.

## Construction Industry Licensing Board

Flaherty, James J.  
Greenberg, Scott P.  
Korelishn, Albert C.

## District Board of Trustees, Brevard Community College

Harris, Dewey L.  
Sansom, Dixie N.  
Sibley, Dedra S.

## District Board of Trustees, Broward College

Benz, John A.

## District Board of Trustees, Daytona State College

Davis, Robert C.  
Frederick-Recascino, Christina  
Tanner, John W.

## District Board of Trustees, Gulf Coast Community College

Patronis, Katie L.

## East Central Florida Regional Planning Council, Region Six

Mercer, Atlee E.

## Electrical Contractors Licensing Board

Botknecht, David H.  
Chinchor, Timothy Z.  
Giles, Bradley S.  
Smith, Benjamin E.

## Environmental Regulation Commission

Glasco-Foderingham, Rhoda  
Roth, Cari L.

## Florida Building Code Administrators and Inspectors Board

Carpenter, Dennis J.  
Dudley, Fred R.  
Kymalainen, Robert C.  
Lamas, Orlando  
McCormick, Robert S.

## Florida Citrus Commission

Carter, E. Stanley  
Clark III, Jesse A.  
Horrisberger, James S.  
Taylor, Michael O.

## Florida Commission on Community Service

Anderson, Kherri  
Berenberg, Danny B.  
Bookman, Constance  
Carswell, Debora M.  
Glickman, Susan K.  
Hobson, Joyce A.  
Houglan, Beverly M.  
King, Linda B.  
Levinson, Jon R.  
Londono, Yolanda F.  
McLauchlan, Judithanne S.  
Milligan, Robert F.  
Pruitt, Aileen M.  
Rolle, Rhonda L.  
Stophel, Connie S.  
Traviesa, Andreina  
Vaughn, Bryan

## Florida Commission on Human Relations

Cunningham, Joanna L.

Streeter, Darcell L.

## Florida Energy and Climate Commission

Bassett, Steven C.  
Baughman McLeod, Kathy

## Florida Housing Finance Corporation

Stadlen, Joseph H.  
McLean, Michael J.  
Lenihan, William M.  
Demetree, Mary L.

## Florida Prepaid College Board

Berry, Ray T.

## Florida Public Service Commission

Balbis, Eduardo E.  
Brise, Ronald A.  
Brown, Julie I.  
Graham, Art L.

## Florida Real Estate Appraisal Board

Herndon, Joni L.  
Sante, Chris D.  
Vigil, Jennifer M.

## Florida State Boxing Commission

Curry, Leonard B.

## Governing Board, Northwest Florida Water Management District

Roberts, George A.

## Governor's Mansion Commission

Aurell, Jane C.  
Graham, Adele K.

## Gulf States Marine Fisheries Commission

Greep, Jr., Stephen M.

## Interim Secretary of Health Care Administration

Dudek, Elizabeth

## Interim Secretary of the Department of Elderly Affairs

Corley, Charles T.

## Jacksonville Transportation Authority

Harper, Donna L.

## Juvenile Welfare Board of Pinellas County

Sewell, James D.

## North Central Florida Regional Planning Council, Region Three

Biddle, David E.  
Dodge, David L.  
Collett, Thomas D.  
Martin, Eddie

## Peace River Basin Board

Crisman, Patricia C.  
Martin, Gordon M.

## Pinellas-Anclote River Basin Board

Dove, Roland P.  
Hoppe, Janet P.

Secretary of the Department of Business and Professional Regulation

Liem, Charles W.

South Florida Regional Planning Council, Region Eleven

Asseff, Patricia B.  
Brook, Scott J.  
Wallace, Paul R.

South Lake County Hospital District Board of Trustees

Binney, Curtis A.  
Graff, Mark J.  
Hebeler, Robert M.  
Hubbard, Tony D.  
Rountree, Paul B.

Southwest Florida Regional Planning Council, Region Nine

Carroll, Patricia M.  
Colón, Felipe  
Grant, Michael J.  
Hall, Shannon L.  
Karau, Melvin E.

Tampa Bay Regional Planning Council, Region Eight

Kinsler, Angeleah C.  
Nunez Jr., Andres E.  
Vance, Kim H.  
Waller, Charles D.  
Woodard, Laura D.  
Young, Earl H.

Tampa-Hillsborough County Expressway Authority

Diaci, Stephen C.

Treasure Coast Regional Planning Council, Region Ten

Carney, Peter H.  
Hall, William M.  
Sachs, Peter S.

Withlacoochee Regional Planning Council, Region Five

Craig, Avis M.  
Murray, Edward W.  
Selph, Walter E.

Withlacoochee River Basin Board

Eno, Burton E.  
Grubman, Alan A.

In addition to the appointments stated above, I am also withdrawing the following appointees whose terms have expired or who are no longer serving in office pending confirmation by the Florida Senate:

Apalachee Regional Planning Council, Region Two

Dykes, Dwight E.  
Ranie, Benjamin F.

Board of Pilot Commissioners

Bohnsack, Frances M.  
Jones, Jeffrey L.  
Molitor, Donald N.

Board of Trustees, Florida A&M University

Rouson, Angela H.

Construction Industry Licensing Board

Cathey, William B.

Florida Commission on Human Relations

Keller, Michael G.

Governing Board of the South Florida Water Management District

Estenoz, Shannon A.

Acting Secretary of the Department of State

Kennedy, Jennifer

Interim Secretary of the Department of State

Roberts, Dawn K.

North Central Florida Regional Planning Council, Region Three

Krames, Robert W.

Interim Secretary of the Department of Environmental Protection

Drew, Mary A.

Secretary of the Department of Environmental Protection

Drew, Mary A.

Please return all documentation of the appointments.

Sincerely,  
*Rick Scott*  
Governor

Cc: Kurt Browning, Secretary of State

The Honorable Rick Scott  
Governor, State of Florida  
The Capitol  
Tallahassee, Florida 32399-1100

February 7, 2011

Dear Governor Scott:

On behalf of Senate President Mike Haridopolos, attached is all evidence of the following gubernatorial appointments itemized in your letter of February 2, 2011, as being withdrawn:

Alafia River Basin Board

Bissonnette, Stephen J.

Apalachee Regional Planning Council, Region Two

Hatcher, H. Franklin  
Radford, Dawn D.

Big Cypress Basin Board

Vaughn, John W.

Board of Acupuncture

Teisinger-Nicholson, Mary K.

Board of Architecture and Interior Design

Emo, Warren A.  
Reid, Jr., Johnstone

Board of Clinical Social Work, Marriage & Family Therapy, & Mental Health Counseling

Gillespy, Susan J.  
Otis, Sharon E.

Board of Dentistry

Edinger, Debra S.

Board of Hearing Aid Specialists

Hollern, Thomas M. Polhill, Leanne E.	Flaherty, James J. Greenberg, Scott P. Korelishn, Albert C.
Board of Landscape Architecture	District Board of Trustees, Brevard Community College
Graham, Jr., Philip H.	Harris, Dewey L. Sansom, Dixie N. Sibley, Dedra S.
Board of Medicine	District Board of Trustees, Broward College
Thomas, George	Benz, John A.
Board of Nursing	District Board of Trustees, Daytona State College
Newman, Jody B.	Davis, Robert C. Frederick-Recascino, Christina Tanner, John W.
Board of Nursing Home Administrators	East Central Florida Regional Planning Council, Region Six
Wishna, Harold	Mercer, Atlee E.
Board of Opticianry	Environmental Regulation Commission
Hess, Dan M.	Glasco-Foderingham, Rhoda Roth, Cari L.
Board of Orthotists and Prosthetists	Florida Building Code Administrators and Inspectors Board
Nilssen, Erik C.	Carpenter, Dennis J. Dudley, Fred R. Lamas, Orlando McCormick, Robert S.
Board of Pharmacy	Florida Citrus Commission
Wilson, Robert H.	Carter, E. Stanley Clark III, Jesse A. Horrisberger, James S. Taylor, Michael O.
Board of Physical Therapy Practice	Florida Commission on Community Service
Baker, Karen S. Lohr, Clint E.	Anderson, Kherri Berenberg, Danny B. Bookman, Constance Glickman, Susan K. Hobson, Joyce A. Hougland, Beverly M. King, Linda B. Levinson, Jon R. Londono, Yolanda F. McLauchlan, Judithanne S. Milligan, Robert F. Pruitt, Aileen M. Rolle, Rhonda L. Stophel, Connie S. Traviesa, Andreina
Board of Podiatric Medicine	Florida Commission on Human Relations
Evans, Chester A. Morris, Robert P.	Cunningham, Joanna L. Streeter, Darcell L.
Board of Professional Engineers	Florida Energy and Climate Commission
Earle, Jonathan F.	Bassett, Steven C. Baughman McLeod, Kathy
Board of Professional Geologists	Florida Prepaid College Board
Bush, Louie G. Dale, Mervin W.	Berry, Ray T.
Board of Psychology	Florida Public Service Commission
Aufderheide, Dean H. Bloomfield, Stephen I. Orta, Luis E.	Balbis, Eduardo E. Brise, Ronald A. Brown, Julie I.
Board of Respiratory Care	
DeJesus, William	
Board of Trustees, Florida A&M University	
Alston, Torey L.	
Board of Trustees, University of Central Florida	
Mantilla, Joseph I.	
Citrus County Hospital Board	
Kirk, Susan M.	
Coastal Rivers Basin Board	
Musselmann, Fritz H.	
Commission for Independent Education	
Crocitto, Jr., Peter F.	
Construction Industry Licensing Board	

Graham, Art L.	Tampa-Hillsborough County Expressway Authority
Florida Real Estate Appraisal Board	Diaco, Stephen C.
Herndon, Joni L.	Treasure Coast Regional Planning Council, Region Ten
Sante, Chris D.	Carney, Peter H.
Vigil, Jennifer M.	Hall, William M.
Florida State Boxing Commission	Withlacoochee Regional Planning Council, Region Five
Curry, Leonard B.	Craig, Avis M.
Governing Board, Northwest Florida Water Management District	Murray, Edward W.
Roberts, George A.	Selph, Walter E.
Governor's Mansion Commission	Withlacoochee River Basin Board
Aurell, Jane C.	Eno, Burton E.
Graham, Adele K.	Grubman, Alan A.
Gulf States Marine Fisheries Commission	Apalachee Regional Planning Council, Region Two
Greep, Jr., Stephen M.	Dykes, Dwight E.
Interim Secretary of Health Care Administration	Board of Pilot Commissioners
Dudek, Elizabeth	Bohnsack, Frances M.
Interim Secretary of the Department of Elderly Affairs	Jones, Jeffrey L.
Corley, Charles T.	Molitor, Donald N.
Jacksonville Transportation Authority	Board of Trustees, Florida A&M University
Harper, Donna L.	Rouson, Angela H.
Juvenile Welfare Board of Pinellas County	Construction Industry Licensing Board
Sewell, James D.	Cathey, William B.
North Central Florida Regional Planning Council, Region Three	Florida Commission on Human Relations
Biddle, David E.	Keller, Michael G.
Dodge, David L.	Governing Board of the South Florida Water Management District
Collett, Thomas D.	Estenoz, Shannon A.
Martin, Eddie	Acting Secretary of the Department of State
Peace River Basin Board	Kennedy, Jennifer
Crisman, Patricia C.	Interim Secretary of the Department of State
Martin, Gordon M.	Roberts, Dawn K.
Secretary of the Department of Business and Professional Regulation	North Central Florida Regional Planning Council, Region Three
Liem, Charles W.	Krames, Robert W.
South Florida Regional Planning Council, Region Eleven	Interim Secretary of the Department of Environmental Protection
Wallace, Paul R.	Drew, Mary A.
South Lake County Hospital District Board of Trustees	Secretary of the Department of Environmental Protection
Binney, Curtis A.	Drew, Mary A.
Graff, Mark J.	The Senate has not received the following appointments:
Hebeler, Robert M.	Barber's Board
Hubbard, Tony D.	Raines, Andrew J.
Rountree, Paul B.	Troup, Carl E.
Southwest Florida Regional Planning Council, Region Nine	Vaughn, Thomas E.
Grant, Michael J.	Boards of Directors, Enterprise Florida, Inc.
Tampa Bay Regional Planning Council, Region Eight	Peelen, Scott B.
Kinsler, Angeleah C.	Fiorentino, T. Martin
Nunez Jr., Andres E.	Board of Medicine
Vance, Kim H.	
Waller, Charles D.	
Woodard, Laura D.	
Young, Earl H.	

Chizner, Michael A.  
Board of Nursing Home Administrators

Butler, Michael S.  
Board of Pilot Commissioners

Boue, Luis E.  
Clemente, Anthony J.  
Fox, John P.  
Sams, Matthew T.  
Smith, Thayer C.

Board of Veterinary Medicine  
O'Neil, Robert E.

District Board of Trustees, Gulf Coast Community College  
Patronis, Katie L.

Electrical Contractors Licensing Board  
Botknecht, David H.  
Chinchor, Timothy Z.  
Giles, Bradley S.  
Smith, Benjamin E.

Florida Building Code Administrators and Inspectors Board  
Kymalainen, Robert C.

Florida Commission on Community Service  
Carswell, Debora M.  
Vaughan, Bryan

Florida Housing Finance Corporation  
Stadlen, Joseph H.  
McLean, Michael J.  
Lenihan, William M.  
Demetree, Mary L.

Jacksonville Transportation Authority  
Harper, Donna L.

Juvenile Welfare Board of Pinellas County  
Sewell, James D.

Pinellas-Anclote River Basin Board  
Dove, Roland P.  
Hoppe, Janet P.

South Florida Regional Planning Council, Region Eleven  
Asseff, Patricia B.  
Brook, Scott J.

Southwest Florida Regional Planning Council, Region Nine  
Carroll, Patricia M.  
Colón, Felipe  
Grant, Michael J.  
Hall, Shannon L.  
Karau, Melvin E.

Treasure Coast Regional Planning Council, Region Ten  
Sachs, Peter S.

Apalachee Regional Planning Council, Region Two  
Ranie, Benjamin F.

Acting Secretary of the Department of State  
Kennedy, Jennifer

Sincerely,  
R. Philip Twogood, Secretary

Cc: Senate President Mike Haridopolos  
Secretary of State Kurt Browning  
Senator Miguel Diaz de la Portilla

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**EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:**

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

	<i>For Term Ending</i>
<i>Office and Appointment</i>	
Adjutant General of Florida National Guard Appointee: Titshaw, Emmett R., St. Augustine	Pleasure of Governor
Board of Medicine Appointee: Thomas, George, Bradenton	10/31/2014
Council on Efficient Government Appointee: Evans, Steven L., Tallahassee	8/22/2011
Education Practices Commission Appointees: Farmer, Diane A., Tampa McCray, Katrina E., Jacksonville	9/30/2013 9/30/2014

**Referred to the Committee on Rules.**

Secretary of Community Affairs Appointee: Buzzett, William A., Santa Rosa Beach	Pleasure of Governor
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**Referred to the Committees on Community Affairs; and Rules.**

Secretary of Children and Family Services Appointee: Wilkins, David, Tallahassee	Pleasure of Governor
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**Referred to the Committees on Children, Families, and Elder Affairs; and Rules.**

Secretary of Juvenile Justice Appointee: Walters, Wansley Hancock, Confidential pursuant to s. 119.071(4) F.S.	Pleasure of Governor
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**Referred to the Committees on Criminal Justice; and Rules.**

Florida Public Service Commission Appointees: Balbis, Eduardo E., West Palm Beach Brisé, Ronald A., North Miami Brown, Julie I., Tampa Graham, Art, Jacksonville Beach	1/1/2015 1/1/2014 1/1/2015 1/1/2014
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**Referred to the Committees on Communications, Energy, and Public Utilities; and Rules.**

Secretary of Environmental Protection Appointee: Vinyard, Herschel T., Jacksonville	Pleasure of Governor
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Governing Board of the Northwest Florida Water Management District Appointee: Roberts, George, Panama City Beach	3/1/2014
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**Referred to the Committees on Environmental Preservation and Conservation; and Rules.**

Secretary of Management Services Appointee: Miles, John P., Winter Park	Pleasure of Governor
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*Office and Appointment*

Secretary of State  
 Appointee: Browning, Kurt S., Dade City Pleasure of Governor

**Referred to the Committees on Governmental Oversight and Accountability; and Rules.**

Board of Trustees, Florida Florida A & M University  
 Appointee: Alston, Torey L., Fort Lauderdale 1/6/2015

Board of Trustees, University of West Florida  
 Appointee: O'Sullivan, John Mortimer, Pensacola 1/6/2015

**Referred to the Committees on Higher Education; and Rules.**

Adjutant General of Florida National Guard  
 Appointee: Titshaw, Emmett R., St. Augustine Pleasure of Governor

**Referred to the Committees on Military Affairs, Space, and Domestic Security; and Rules.**

Secretary of the Department of Lottery  
 Appointee: O'Connell, Cynthia F., Tallahassee Pleasure of Governor

**Referred to the Committees on Regulated Industries; and Rules.**

**SUPREME COURT OF FLORIDA**

The following certificate was received:

No. SC11-182

**IN RE: CERTIFICATION OF NEED FOR ADDITIONAL JUDGES.**

[February 17, 2011]

PER CURIAM.

This opinion fulfills our constitutional obligation to determine the State's need for additional judges in Fiscal Year 2011/2012 and to certify our "findings and recommendations concerning such need" to the Legislature. Certification is "the sole mechanism established by our constitution for a systematic and uniform assessment of this need." In re Certification of Need for Additional Judges, 889 So. 2d 734, 735 (Fla. 2004).

**TRIAL COURTS**

The Florida Supreme Court continues to use a weighted caseload system as a primary basis for assessing judicial need for the trial courts. Using objective standards, this Court has examined case filing and disposition data, analyzed various judicial workload indicators, applied a sustained net need analysis, and considered judgeship requests submitted by the lower courts. Applying this methodology, this Court certifies the need for eighty additional trial court judgeships statewide, twenty-six in circuit court and fifty-four in county court.

As we make this certification, we also are aware that difficulties in our economic situation continue to have a severe impact on both the private and public sectors in Florida. With over one million Floridians unemployed and significant deficits in the state budget, we recognize that funding new judgeships will compete with other critical state priorities. Nonetheless, the reality is that Florida's circuit and county judges are overloaded with new filings, have substantial caseloads, and have fewer support staff to assist with the disposition of cases. Taken together, these factors continue to hamper the effective administration of justice in Florida.

*For Term Ending*

The trial court chief judges have provided us with ample justification to certify new judgeships to the Legislature. First, the chief judges have identified a number of workload trends that are affecting court operations throughout the state. Several chief judges have cited filing increases across multiple divisions, slower case processing times, increases in pending caseloads, and higher jury trial rates. Dropping clearance rates, a key barometer of the relationship between court filings and dispositions, were also cited by many chief judges.

Second, the ongoing challenges to state government associated with the current economic crisis have resulted in considerable reductions in trial court funding. Trial court expense budgets and support staff have been significantly reduced. Judges are absorbing the work previously performed by magistrates, law clerks, case managers, and other supplemental support staff lost in the budget reductions of the last several years. As noted in last year's certification opinion, we have lost a total of 249 trial court staff positions due to reductions to our budget. Most of these positions provided direct case management, legal research, and adjudicatory support to our judges. The loss of staff translates into slower case processing times, crowded dockets, and long waits to access judicial calendars. Another consequence of high caseloads and reduced staff support is less judicial time spent on hearings. Some of our judges believe that the quality of justice being delivered today is suffering because they do not have adequate time to devote to each case. We find that observation troubling. Over time, these factors can result in a weakening of the effective administration of justice throughout the state.

Third, several of the trial court chief judges also note the significant increases in pro se (i.e., self-represented litigants) filings for multiple divisions of court. This observation is not surprising given the state of our economy. Many citizens cannot afford to hire an attorney and choose to represent themselves in court. Pro se litigants are often unprepared for the rigors of presenting evidence, following rules of procedure, and representing themselves in court. Cases involving pro se litigants frequently require enhanced judicial involvement which entails lengthier or rescheduled hearings, which can result in litigant frustration and court delay.

Fourth, the mortgage foreclosure crisis continues to challenge every judicial circuit in Florida. The attendant workload associated with the total volume of foreclosure filings far outweighs current judicial capacity, notwithstanding the additional senior judge and case manager resources provided by the Legislature to assist with this crisis.

And fifth, the loss of the civil traffic infraction hearing officers in county court continues to impact county judges throughout the state. In many counties, county judges are hearing traffic cases previously processed by these hearing officers. This additional workload greatly expands county court dockets, creating case processing delays. As we have noted in previous certification opinions, having county court judges perform work that could be processed by civil traffic infraction hearing officers is not the best use of valuable judicial time.

Trial court judges have responded admirably by doing more with less and staying focused on managing their caseloads using available resources. Where possible, they have sought efficiencies by applying various management techniques such as differentiated case management, alternative dispute resolution, jury selection backup during trial weeks, and improved scheduling and calendaring. Their unwavering commitment to advancing the administration of justice during these difficult economic times is laudable, and we commend them.

The Court also takes notice that while the trial courts have identified their need for the additional supplemental resources necessary to ensure the efficient and effective flow of cases, their legislative budget request to the Legislature for Fiscal Year 2011/2012 was significantly scaled back due to the forecasted revenue deficits the State is facing. The Court would support a request for additional resources and, at the very least, the restoration of lost resources in the lower courts but respects the trial courts' willingness to continue to make do with less in acknowledgment of the tremendous demands on state government.

**DISTRICT COURTS OF APPEAL**

No district court of appeal requested additional judgeships for Fiscal Year 2011/2012. Consequently, the Court is not addressing the need for additional district court judges in this opinion.

**CONCLUSION**

We have conducted both a quantitative and qualitative assessment of judicial workload. Using the case weighted methodology required by the Legislature and the application of other factors identified in Florida Rule of Judicial Administration 2.240, we certify the need for eighty additional trial court judges in Florida. At the same time, we recognize that our State is caught in a period of protracted economic difficulties which are impacting all sectors of state government and that the Legislature will be confronted with extraordinarily challenging funding decisions in the upcoming session. We are hopeful, however, that the demonstrated need for additional judges in Florida can be addressed when the State’s fiscal condition improves.

In the difficult fiscal circumstances confronting the Legislature, we respectfully urge that the Legislature consider the priority of maintaining adequate funding for the courts which provide justice for the people of Florida.

It is so ordered.

CANADY, C.J., and PARIENTE, LEWIS, QUINCE, POLSTON, LA-BARGA, and PERRY, JJ., concur.

Original Proceeding – Certification of the Need for Additional Judges

APPENDIX

TRIAL COURT NEED			
Circuit	Circuit Court Certified Judges	County	County Court Certified Judges
1	4	NA	0
2	0	NA	0
3	0	Columbia	1
4	1	Duval	6
5	4	Citrus	1
		Lake	1
		Marion	1
6	1	Pasco	0
		Pinellas	1
7	2	St. John's	1
		Volusia	2
8	0	Alachua	1
9	1	Orange	3
		Osceola	1
10	1	Polk	2
11	0	Miami-Dade	10
12	1	Manatee	1
		Sarasota	1
13	1	Hillsborough	3
14	2	Bay	1
15	2	Palm Beach	5
16	0	NA	0
17	0	Broward	6
18	1	Brevard	1
		Seminole	1
19	2	St. Lucie	1
20	3	Collier	1
		Lee	2
<b>TOTAL</b>	<b>26</b>	<b>TOTAL</b>	<b>54</b>

1. Article V, section 9 of the Florida Constitution provides in pertinent part:

**Determination of number of judges.**—The supreme court shall establish by rule uniform criteria for the determination of the need for additional judges except supreme court justices, the necessity for decreasing the number of judges and for increasing, decreasing or redefining appellate districts and judicial circuits. If the supreme court finds that a need exists for increasing or decreasing the number of judges or increasing, decreasing or redefining appellate districts and judicial circuits, it shall, prior to the next regular session of the legislature, certify to the legislature its findings and recommendations concerning such need.

2. Our certification methodology relies primarily on case weights and calculations of available judge time to determine the need for additional trial court judges. See Fla. R. Jud. Admin 2.240.

3. The needed judgeships in the circuit and county courts are set forth in the table in the attached appendix.

4. In re Certification of Need for Additional Judges, 29 So. 3d 1110 (Fla. 2010).

**SENATE RULES**

**RULE ONE**

OFFICERS, SENATORS, EMPLOYEES, AND ETHICS

**PART ONE—SENATE OFFICERS**

**1.1—Election of the President, President Pro Tempore, President Designate, President Pro Tempore Designate, Minority Leader, and Minority Leader Pro Tempore; designation of Majority Leader**

A President and a President Pro Tempore shall be elected for a term of two (2) years at the organization session preceding the regular session of each odd-numbered year. They shall take an oath to support the *Constitution of the United States* and the *Constitution of the State of Florida*, and for the true and faithful discharge of the duties of office. The Majority Party may, by caucus called by the President, elect a President Designate and a President Pro Tempore Designate, and their names shall be certified to the Secretary. The President may designate a Majority Leader whose name shall be certified to the Secretary. The Minority Party may, by caucus, elect a Minority Leader and a Minority Leader Pro Tempore, and their names shall be certified to the Secretary at the organization session. All elected officers are to hold office until their successors are chosen and qualified or until the expiration of their term, whichever shall occur first.

**1.2—The President calls the Senate to order**

The President shall call the Senate to order at the hour provided by these Rules or at the hour established by the Senate at the last session. A quorum being present, the President shall direct the Senate to proceed with the Daily Order of Business. The President may informally recess the Senate for periods of time not to exceed thirty (30) minutes.

**1.3—The President’s control of Chamber, corridors, and rooms**

The President shall preserve order and decorum and shall have general control of the Chamber, corridors, passages, and rooms of the Senate whether in the Capitol or elsewhere. If there is a disturbance, the President may order the area cleared.

**1.4—The President’s authority and signature; questions of order; travel**

(1) The President shall sign all acts, joint resolutions, resolutions, and memorials. No writ, warrant, subpoena, contract binding the Senate, authorization for payment, or other papers shall issue without the signature of the President. The President may delegate signing authority for the authorization of payments. The President shall approve vouchers.

(2) The President shall decide all questions of order, subject to an appeal by any Senator.

(3) As necessary, the President is authorized to incur travel and per diem expenses for the next session of the Legislature. The President shall have the power to assign duties and sign requisitions pertaining to legislative expenses incurred in transacting Senate business as authorized. The President shall have responsibility for Senate property and may delegate specific duties or authority pertaining thereto.

(4) The President may authorize counsel to initiate, defend, intervene in, or otherwise participate in any suit on behalf of the Senate, a Senate committee, a Senator (whether in the legal capacity of Senator or taxpayer), a former Senator, or a Senate officer or employee when such suit is determined by the President to be of significant interest to the Senate and when it is determined by the President that the interests of the Senate would not otherwise be adequately represented. Expenses incurred for legal services in such proceedings may be paid upon approval of the President.



**1.5—The President's appointment to committees**

(1) The President shall appoint members to all standing committees, standing subcommittees, and select committees. The President shall also appoint the Senate members of conference committees, joint committees, and joint select committees.

(2) Any member removed from a committee without his or her consent shall have the right to appeal such removal to the Rules Committee.

**1.6—The President's vote**

The President shall not be required to vote in legislative proceedings. In all yeas and nays votes, the President's name shall be called last.

**1.7—The President's absence from the chair; duties of President Pro Tempore**

(1) The President may name any Senator to perform the duties of the chair.

(2) If for any reason the President is absent and fails to name a Senator, the President Pro Tempore shall assume the duties of the chair.

(3) If the President resigns, he or she may, prior to resignation, designate a member of his or her party to assume the duties of the chair until a permanent successor is elected.

(4) In the event the chair is vacated permanently, nothing herein shall preclude the Senate from electing a presiding officer. If the chair is vacated permanently during a session of the Legislature, a new presiding officer must be elected within seven (7) days of the vacancy. If the chair is vacated permanently while the Legislature is not in session, the President's designee shall convene the Senate no later than thirty (30) days after the vacancy for the purpose of electing a new presiding officer. The election shall be the Senate's first order of business. In the event that a designation is not made pursuant to subsection (3) of this Rule, the President Pro Tempore shall assume the duties of the designee in convening the Senate to elect a new presiding officer.

**1.8—Election of the Senate Secretary**

(1) The Senate shall elect a Secretary to serve at its pleasure. A staff of assistants shall be employed to regularly transact such business as required by law, as required by Senate Rules, or as assigned by the President. The Secretary shall take an oath to support the *Constitution of the United States* and the *Constitution of the State of Florida*, and for the true and faithful discharge of the duties of office.

(2) The Secretary shall be under the supervision of the President, who may assign additional duties to the Secretary. In the event of a vacancy in the position of Secretary, the President may appoint someone to perform the duties of the office until the Senate, by its vote, fills the vacancy.

(3) The Secretary shall be the Senate enrolling and engrossing clerk and may designate an assistant enrolling and engrossing clerk.

**1.9—Duties of the Secretary at organization session**

In the absence of the President and the President Pro Tempore of the preceding session, the Secretary shall, at the organization session of the Legislature, call the Senate to order. Pending the election of a President or a President Pro Tempore, the Secretary shall preserve order and decorum, and decide all questions of order subject to appeal by any Senator. The duties prescribed by this section may be delegated by the Secretary to any Senator.

**1.10—Duties of the Secretary generally; keeps Journal**

The Secretary shall keep a correct daily Journal of Senate proceedings. The Journal shall be numbered serially from the first (1st) day of each session of the Legislature and shall be made available by the Secretary for the information of the Legislature and the public. The Secretary shall superintend the engrossing, enrolling, and transmitting of bills, resolutions, and memorials. The Secretary shall not permit any records or papers belonging to the Senate to be removed from the custody of the Secretary other than in the regular course of business and with proper

receipt. The Secretary shall keep a separate Journal of the proceedings of the executive sessions of the Senate.

**1.11—The Secretary prepares daily calendar**

- (1) The Secretary shall prepare a daily calendar that shall set forth:
  - (a) The order of business;
  - (b) The committee report on each bill, i.e., whether favorable, favorable with committee amendments, or favorable with committee substitute;
  - (c) The status of each bill, i.e., whether on second (2nd) or third (3rd) reading;
  - (d) Notices of committee meetings; and
  - (e) Notices of meetings required pursuant to Rule 1.44.

(2) The Secretary shall make available the daily calendar for the information of the Legislature and the public.

**1.12—The Secretary reads papers; calls roll; records votes**

The Secretary shall have read to the Senate all papers ordered to be read; note responses of Senators when the roll is called to determine the presence of a quorum; call the roll and record the votes when a question is taken by yeas and nays; and assist, under the direction of the President, in taking the count when any Senate vote is taken by a show of hands or otherwise.

**1.13—The Secretary attests to warrants, subpoenas, and the passage of all measures**

The Secretary shall attest to all writs, warrants, and subpoenas issued by order of the Senate and shall attest to the passage of all bills, resolutions, and memorials.

**1.14—The Secretary prepares forms**

The Secretary shall prepare all forms used by the Senate.

**1.15—The Secretary examines legal form of bills for introduction**

The Secretary shall examine bills on their tender for introduction, but prior to their receiving a number, he or she shall determine whether they meet the requirements of law and of these Rules. The Secretary shall direct the attention of the introducer to apparent defects, but the introducer shall be exclusively responsible for the constitutional and legal correctness of the bill.

**1.16—The Secretary indexes bills**

The Secretary shall maintain a numerical index of bills and a cumulative index by introducers.

**1.17—The Secretary transmits bills to the House of Representatives**

The Secretary shall transmit all bills, joint resolutions, concurrent resolutions, and appropriate memorials to the House of Representatives without delay. Each measure shall be accompanied by a message stating the title to the measure being transmitted and requesting the concurrence of the House.

**1.18—The Secretary receives and delivers for reading messages from the House of Representatives; summaries of House amendments to Senate bills**

(1) The Secretary shall receive all messages from the House of Representatives and shall be responsible for their security. The Secretary shall have them available for reading to the Senate during the appropriate order of business. All messages reflecting House amendments to Senate bills shall be promptly delivered to the appropriate committees for research and summary. Special notice of the summaries shall be made available to each Senator.

(2) The Secretary shall advise the President when a House amendment to a Senate bill substantially changes or materially alters the bill as passed by the Senate. The President may refer such bill and House amendments to an appropriate committee or committees for hearing and further report to the Senate. Upon such reference by the President, committee or committees of reference shall meet on a date and at a time

set by the President and shall make a report as defined in Rule 2.15. Committee reports and accompanying measures shall be placed on the calendar.

## **PART TWO—SENATORS**

### **1.20—Attendance and voting**

(1) Unless excused for just cause or necessarily prevented, every Senator shall be within the Senate Chamber during its sessions and in attendance at all assigned committee meetings.

(2) A Senator who is in the Chamber or in a committee meeting shall vote on each question. However, a Senator may abstain from voting if, in the Senator's judgment, a vote on a question would constitute a conflict of interest as defined in section 112.312(8), *Florida Statutes*. A Senator who abstains from voting shall file the disclosure required by Rule 1.39.

(3) All Senators shall arrive for each daily session prepared to discuss that day's scheduled Senate business.

### **1.21—Excused absence**

The President may excuse a Senator from attending a session of the Senate or any meetings of Senate committees for any stated period. An excused absence from a session of the Senate shall be noted in the Journal.

### **1.22—Senate papers left with Secretary**

A Senator necessarily absent from a session of the Senate or its committees and having in his or her possession papers relating to Senate business shall leave such papers with the Secretary before leaving the Capitol.

### **1.23—Senators deemed present unless excused**

A Senator who answers the quorum roll call at the opening of a session or who enters after such roll call and announces his or her presence to the Senate shall thereafter be considered present unless excused by the President.

### **1.24—Contested seat**

If a seat in the Senate is contested, notice stating the grounds of such contest shall be given by the contestant to the Senate prior to the day of the organization session of the Legislature; and the contest shall be determined by majority vote as soon as reasonably possible. The President shall appoint a Credentials Committee to be composed of not more than ten (10) members who shall consider the question and report their recommendations to the President, who shall inform the Senate.

### **1.25—Facilities for Senators**

Each Senator shall be entitled to facilities and expenses that are necessary and expedient to the fulfillment of the duties of the office, the location and sufficiency of which shall be determined by the President.

### **1.26—Nonlegislative activities**

No Senator shall accept appointments to nonlegislative committees, commissions, or task forces without prior approval of the President if travel and per diem expenses are to be taken from Senate funds.

### **1.27—Repealed**

## **PART THREE—SENATE EMPLOYEES**

### **1.28—Dismissal of employees; services of spouse**

The President shall resolve disputes involving the competency or decorum of a Senate employee, and may terminate the services of an employee. At the President's discretion, the issue may be referred to the Rules Committee for its recommendation. The pay of an employee so terminated shall stop on the termination date. A Senator's spouse or immediate relatives may serve in any authorized position, however, they shall not receive compensation for services performed.

### **1.29—Employees forbidden to lobby**

No employee of the Senate shall directly or indirectly interest or concern himself or herself with the passage or consideration of any matter whatsoever. Violation of this Rule by an employee shall be grounds for summary dismissal. This Rule shall not preclude the performance of duties that may be properly delegated to a Senator's legislative assistant.

### **1.30—Duties and hours**

Employees shall perform the duties assigned to them by the President and required of them by Rule and policy of the Senate. When the Senate is in session, employees shall remain on duty as required. When the Senate is not in session, permanent staff of the Senate shall observe the hours of employment set by the President. Part-time employees and Senators' district staff shall observe hours that are prescribed by their department heads.

### **1.31—Absence without permission**

If employees are absent without prior permission, except for just cause, their employment shall be terminated or their compensation forfeited for the period of absence as determined by the President.

### **1.32—Political activity**

Senate employees shall be regulated concerning their political activity pursuant to section 110.233, *Florida Statutes*.

## **PART FOUR—LEGISLATIVE CONDUCT AND ETHICS**

### **1.35—Legislative conduct**

Every Senator shall conduct himself or herself to justify the confidence placed in him or her by the people and, by personal example and admonition to colleagues, shall maintain the integrity and responsibility of his or her office.

### **1.36—Improper influence**

A Senator shall not accept anything that will improperly influence his or her official act, decision, or vote.

### **1.361—Solicitation or acceptance of contributions; registration and disclosure requirements**

(1) During any regular legislative session, extended session, or special session, a Senator may not directly or indirectly solicit, cause to be solicited, or accept any contribution on behalf of either the Senator's own campaign, any organization described under section 527 or section 501(c)(4) of the Internal Revenue Code, any political committee, any committee of continuous existence, any political party, or the campaign of any candidate for the Senate; however, a Senator may contribute to his or her own campaign.

(2) Any fundraising activity otherwise prohibited during an extended or special session by subsection (1) shall not be considered a violation of this rule and may take place provided that it can be shown that the event was already scheduled prior to the issuance of the proclamation, resolution, or other communiqué extending the session or convening a special session.

(3) Any Senator who directly or indirectly solicits, causes to be solicited, or accepts any contribution on behalf of any organization described under section 527 or section 501(c)(4) of the Internal Revenue Code, any political committee, or any committee of continuous existence must immediately disclose such activity to, and register with, the Rules Committee. However, no registration is required as a result of a Senator's solicitation or acceptance of contributions on behalf of his or her own campaign, a campaign for any other office, or a political party. When required by law, the Senator shall promptly create a public website that contains a mission statement for such organization, the names of the Senators associated with that organization, and disclosure of contributions received by and expenditures made by the organization.

(4) Upon a determination that a Senator has violated this Rule, the President shall remove such Senator from all assigned committees subject to the right of appeal under Rule 1.5(2).

**1.37—Conflicting employment**

A Senator shall not allow his or her personal employment to impair his or her independence of judgment in the exercise of his or her official duties.

**1.38—Undue influence**

A Senator shall not use his or her influence as a Senator in any issue that involves substantial conflict between his or her personal interest and his or her duties in the public interest.

**1.39—Disclosure and disqualification**

A Senator is not disqualified from voting when, in the Senator's judgment, a conflict of interest is present. However, a Senator shall disclose any personal, private, or professional interest in a matter that would inure to that Senator's special private gain or the special gain of any principal to whom the Senator is obligated. Such disclosure concerning a vote during a session shall be filed with the Secretary for reporting in the Journal immediately following the record of the vote. Such disclosure may explain the logic of voting or of his or her disqualification. Disclosure concerning a vote that was not cast during a session should be filed pursuant to section 112.3143(2), *Florida Statutes*.

**1.40—Senate employees and conflicts**

Senate employees shall be accountable to the intent of these Rules regulating legislative conduct and ethics.

**1.41—Advisory opinions**

All questions relating to the interpretation and enforcement of these Rules regulating legislative conduct and ethics shall be referred to the Rules Committee or shall emanate therefrom. A Senator may submit a factual situation to the Rules Committee with a request for an advisory opinion establishing the standard of public duty. The committee shall enter its opinion responding to each inquiry. All opinions shall, after hearing, be numbered, dated, and published in the Journal. No opinion shall identify the requesting Senator without the Senator's consent.

**1.42—Violations; investigations, penalties**

(1) Any person may file a sworn complaint with the Rules Chair, or the President when the complaint is against the Rules Chair, alleging a violation by a Senator of the Rules regulating legislative conduct and ethics. The complaint shall be based on personal knowledge, shall state detailed facts, shall specify the actions of the named Senator which form the basis for the complaint, and shall identify the specific Rule alleged by the complainant to have been violated by the Senator.

- (a) Upon a determination by the Rules Chair, or the President when the complaint is against the Rules Chair, that the complaint fails to state facts supporting a finding of probable cause, the complaint shall be dismissed.
- (b) Upon a determination by the Rules Chair, or the President when the complaint is against the Rules Chair, that the complaint states facts supporting a finding of probable cause, the complaint shall be referred to a special master. The special master shall conduct an investigation, shall give reasonable notice to the Senator who is alleged to have violated the Rules and shall grant the Senator an opportunity to be heard unless the investigation fails to reveal facts supporting a finding of probable cause. A special master's report and recommendation is advisory only and shall be presented to the Rules Chair, or the President when the complaint is against the Rules Chair, as soon as practicable after the close of the investigation. If the special master's report and recommendation conclude that the facts do not support a finding of probable cause, the complaint shall be dismissed by the Rules Chair, or the President when the complaint is against the Rules Chair. If the complaint is not dismissed, the Rules Committee shall consider the special master's report and recommendation, shall grant the Senator an opportunity to be heard, and shall develop its own recommendation. If the complaint is against the Rules Chair, the chair is excused and the vice chair shall conduct the deliberation. If the Rules Committee votes to dismiss the complaint, the Rules Chair or vice chair shall dismiss the

complaint. Otherwise, the special master's report and recommendation and the recommendation of the Rules Committee shall be presented to the President. The President shall present the committee's recommendation, along with the special master's report and recommendation, to the Senate for final action.

(2) Separately from any prosecutions or penalties otherwise provided by law, a Senator determined to have violated the requirements of the Rules regulating legislative conduct and ethics may be censured, reprimanded, or expelled. Such determination and disciplinary action shall be taken by a two-thirds (2/3) vote of the Senate, on recommendation of the Rules Committee.

**PART FIVE—PUBLIC MEETINGS AND RECORDS****1.43—Open meetings**

(1) All meetings at which legislative business is discussed between more than two (2) members of the Legislature shall be open to the public except:

- (a) At the sole discretion of the President, after consultation with appropriate law enforcement, public health, emergency management, or security authorities, those portions of meetings of a select committee, committee, or subcommittee concerning measures to address security, espionage, sabotage, attack, and other acts of terrorism.
- (b) Discussions on the floor while the Senate is in session and discussions among Senators in a committee room during committee meetings shall be deemed to be in compliance with this Rule.

(2) All meetings shall be subject to appropriate order and decorum at the discretion of the person conducting the meeting.

(3) For purposes of this Rule, "legislative business" is defined as issues pending before, or upon which foreseeable action is reasonably expected to be taken by, the Senate, a Senate committee, or Senate subcommittee.

**1.44—Notice required for certain meetings**

(1) A written notice of the following meetings at which legislative business is to be discussed shall be filed with the Secretary. While the Legislature is not in regular or special session and during the first fifty (50) days of a regular session, the notice shall be filed not later than four (4) hours before the scheduled time of the meeting. After the fiftieth (50th) day of a regular session and during a special session, the notice shall be filed not later than two (2) hours before the scheduled time of the meeting:

- (a) Meetings of the President (or a Senator designated to represent the President) with the Governor or with the Speaker (or a representative designated to represent the Speaker);
- (b) Meetings of a majority of the Senators who constitute the membership of any Senate committee or subcommittee; and
- (c) Meetings called by the President or the President's designee of a majority of the chairs of the Senate's standing committees.

(2) Notices of meetings required by Rule 1.44(1) shall be filed by or at the direction of the person at whose call the meeting is convened; shall state the date, time, and place of the meeting; shall contain a brief description of the general subject matter scheduled to be discussed. In the case of a meeting required to be noticed pursuant to this Rule, if the meeting is to take place at or after 10:00 p.m., then the notice must be delivered to the Secretary by 5:00 p.m. Notices of such meetings shall appear in the daily calendar.

(3) In the event the times required for notice under Rule 1.44(1) are not sufficient to permit publication in a daily or interim calendar, the Secretary shall make available such notice in the public corridor leading to the Senate Chamber. The Secretary shall make a diligent effort to give actual notice to members of the press of all noncalendared meeting notices.

(4) Political caucuses shall be open to the public in accordance with Rule 1.43 and noticed in accordance with this Rule when issues then pending before, or upon which foreseeable action is reasonably expected

to be taken by, the Senate, a Senate committee, or a Senate subcommittee are discussed. Political caucuses held for the sole purpose of designating a President, a President Pro Tempore, a Minority Leader, or a Minority Leader Pro Tempore need not be open or noticed.

#### 1.441—Constitutional requirements concerning open meetings

(1) All legislative committee and subcommittee meetings and joint conference committee meetings shall be open and noticed to the public.

(2) All prearranged gatherings between more than two (2) members of the Legislature, or between the Governor, the President, or the Speaker, the purpose of which is to agree upon formal legislative action that will be taken at a subsequent time, or at which formal legislative action is taken, regarding pending legislation or amendments shall be reasonably open to the public.

(3) In cases of conflict between this Rule and any other Senate Rule, the Rule providing greater notice or public access shall prevail.

#### 1.443—Reapportionment information

All Senators shall have equal access to the Senate electronic redistricting system, census data, and all other information promulgated by, maintained by, or available to any Senate standing committee or subcommittee appointed for the analysis of legislative and congressional redistricting plans.

#### 1.444—Legislative records; maintenance, control, destruction, disposal, and disposition

(1) Public records, not exempted from public disclosure, may be inspected by any person desiring to do so at reasonable times, under reasonable conditions, and under supervision of the person who has custody of the records, or that person's designee.

(2) The following standing committee, standing subcommittee, and select committee public records, not exempted from public disclosure, shall be retained by each staff director until biennially transferred to the Division of Library and Information Services of the Department of State via its Legislative Library Division: copies of bills, amendments, vote sheets, bill analyses, and fiscal notes; meeting files including agendas and appearance cards; files relating to assigned projects; final staff reports submitted to subcommittees or committees; final reports submitted by subcommittees or committees; correspondence sent or received; and audio recordings of committee meetings. At the time of transfer, the actual correspondence to be sent to the Department of State shall consist only of correspondence which relates to other committee public records required by this Rule to be transferred. Records not transferred may be otherwise disposed of or destroyed.

(3) Except for records specifically required by law or Senate Rule to be filed or retained, district office records and constituents' records may be retained by the district office until those records become obsolete, at which point they may be otherwise disposed of or destroyed.

(4) Public records, not exempted from public disclosure, created or received by the President, President Pro Tempore, or Secretary shall be retained by that officer as specifically required by law or Senate Rule until transferred to the Division of Library and Information Services of the Department of State via its Legislative Library Division. Records not transferred may be otherwise disposed of or destroyed.

(5) The Secretary shall, with the approval of the President, establish a reasonable fee for copies of public legislative records not exempted from public disclosure. Such fees shall be based upon the actual cost of duplication of the record and shall include the material and supplies used to duplicate the record but not the labor cost or overhead cost associated with such duplication. If the nature or volume of records requested to be inspected or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by employees of the Senate, a special service charge in addition to the actual cost of duplication may be imposed. Such special service charge shall be reasonable and based on the cost incurred for the extensive use of information technology resources or the labor cost of employees providing the service that is actually incurred by the Senate or attributable to the Senate for the clerical and supervisory assistance required. However, when obtained from the Office of the Secretary, a

standing committee, standing subcommittee, or select committee, there shall be no charge for a single copy of a bill other than a general appropriations bill, or for a single copy of any other public record required by law or Senate Rule to be created.

(6) Once the retention period for a public record, not exempted from public disclosure, has expired, the public record may be otherwise disposed of or destroyed. A public record need not be retained if it is published or retained by another legislative office. Only one (1) copy of a public record need be retained; additional copies of that record may be destroyed at any time. In the case of mass mailings, only one (1) sample copy of the mailing, or an abstract, need be retained.

(7) For the purpose of this Rule, a Senator's district office shall include the offices each Senator retains for the transaction of official legislative business in his or her respective district and the assigned offices located in the Senate Office Building or the Capitol in Tallahassee.

(8) The following public records are exempt from inspection and copying:

- (a) Records, or information contained therein, held by the legislative branch of government which, if held by an agency as defined in section 119.011, *Florida Statutes*, or any other unit of government, would be confidential or exempt from the provisions of section 119.07(1), *Florida Statutes*, or otherwise exempt from public disclosure, and records or information of the same type held by the Legislature.
- (b) A formal complaint about a member or officer of the Legislature or about a lobbyist and the records relating to the complaint, until the complaint is dismissed, a determination as to probable cause has been made, a determination that there are sufficient grounds for review has been made and no probable cause panel is to be appointed, or the respondent has requested in writing that the President of the Senate or the Speaker of the House of Representatives make public the complaint or other records relating to the complaint, whichever occurs first.
- (c) A legislatively produced draft, and a legislative request for a draft, of a bill, resolution, memorial, or legislative rule, and an amendment thereto, which is not provided to any person other than the member or members who requested the draft, an employee of the Legislature, a contract employee or consultant retained by the Legislature, or an officer of the Legislature.
- (d) A draft of a bill analysis or fiscal note until the bill analysis or fiscal note is provided to a person other than an employee of the Legislature, a contract employee or consultant retained by the Legislature, or an officer of the Legislature.
- (e) A draft, and a request for a draft, of a reapportionment plan or redistricting plan and an amendment thereto. Any supporting documents associated with such plan or amendment until a bill implementing the plan, or the amendment, is filed.
- (f) Records prepared for or used in executive sessions of the Senate until ten (10) years after the date on which the executive session was held.
- (g) Portions of records of former legislative investigating committees whose records are sealed or confidential as of June 30, 1993, which may reveal the identity of any witness, any person who was a subject of the inquiry, or any person referred to in testimony, documents, or evidence retained in the committees' records; however, this exemption does not apply to a member of the committee, its staff, or any public official who was not a subject of the inquiry.
- (h) Requests by members for an advisory opinion concerning the application of the rules of either house pertaining to ethics, unless the member requesting the opinion authorizes in writing the release of such information. All advisory opinions shall be open to inspection except that the identity of the member shall not be disclosed in the opinion unless the member requesting the opinion authorizes in writing the release of such information.
- (i) Portions of correspondence held by the legislative branch which, if disclosed, would reveal: information otherwise exempt from disclosure by law; an individual's medical treatment, history, or condition; the identity or location of an individual if there is a substantial likelihood that releasing such information would jeopardize the health or safety of

that individual; or information regarding physical abuse, child abuse, spouse abuse, or abuse of the elderly.

(9) Any Senate record created prior to July 1, 1993, which was so designated by the President on June 30, 1993, shall remain exempt from inspection and copying after July 1, 1993. Records held by joint committees, commissions or offices of the Legislature, that were jointly determined by the presiding officers of both houses to remain exempt from inspection and copying after July 1, 1993, remain exempt.

(10) For purposes of this Rule, "public record" means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by the legislative branch.

(11) All records, research, information, remarks, and staff work products, made or received during or in preparation for a closed meeting of a select committee, committee, or subcommittee, shall be confidential and exempt from inspection and copying for a period of 30 days after the closed meeting, at which time they will automatically become legislative public records open to inspection and copying, unless the confidentiality and the prohibition against inspection and copying has, within the 30-day period, been extended by the President. Unless the above-listed confidential and exempt items have been earlier released by operation of this Rule, they shall automatically become available for public inspection and copying five (5) years after the date of the closed meeting, unless this confidentiality and exemption is further extended by the President for subsequent five-year (5) periods.

#### 1.45—Violations of Rules on open meetings and notice

Violations of Rules 1.43 and 1.44 constitute violations of the Rules regulating legislative conduct and ethics and shall be subject to the procedures and penalties prescribed in Rule 1.42.

### RULE TWO

#### COMMITTEES, OFFICERS, MEMBERS, VOTING, MOTIONS, DECORUM, AND DEBATE

#### PART ONE—COMMITTEES—ORGANIZATION, DUTIES, AND RESPONSIBILITIES

##### 2.1—Standing committees; standing subcommittees; select subcommittees

(1) The following standing committees with standing subcommittees are created:

- (a) Agriculture
- (b) Banking and Insurance
- (c) Budget
  - 1. Subcommittee on Criminal and Civil Justice Appropriations
  - 2. Subcommittee on Education Pre-K - 12 Appropriations
  - 3. Subcommittee on Finance and Tax
  - 4. Subcommittee on General Government Appropriations
  - 5. Subcommittee on Health and Human Services Appropriations
  - 6. Subcommittee on Higher Education Appropriations
  - 7. Subcommittee on Transportation, Tourism, and Economic Development Appropriations
- (d) Children, Families, and Elder Affairs
- (e) Commerce and Tourism
- (f) Communications, Energy, and Public Utilities
- (g) Community Affairs
- (h) Criminal Justice
- (i) Education Pre-K - 12
- (j) Environmental Preservation and Conservation
- (k) Governmental Oversight and Accountability
- (l) Health Regulation
- (m) Higher Education
- (n) Judiciary
- (o) Military Affairs, Space, and Domestic Security
- (p) Reapportionment
- (q) Regulated Industries
- (r) Rules
  - 1. Subcommittee on Ethics and Elections

(s) Transportation

(2) Permanent standing committees and standing subcommittees, when created and designated by Senate Rule, shall exist and function both during and between sessions. The President shall appoint the membership of the standing committees and standing subcommittees, provided that each standing committee shall consist of not fewer than five (5) members.

(3) Each standing committee or the chair thereof, with prior approval of the President, may appoint a select subcommittee to study or investigate a specific issue falling within the jurisdiction of the standing committee or to consider a bill referred to it. The President and the Secretary shall be promptly notified of the appointment of a select subcommittee, its assignment, and the time allowed for the assignment, and shall be notified on completion of the assignment. Select subcommittees shall be regulated by the Senate Rules regulating standing subcommittees, except that a select subcommittee shall exist only for the time necessary to complete its assignment and report to its standing committee, and not to exceed thirty (30) days unless extended by the President. The advisory report by a select subcommittee, whether favorable or unfavorable, shall be reviewed by the standing committee and accepted, amended, or rejected by majority vote of those committee members present.

##### 2.2—Powers and responsibilities of committees

(1) Permanent standing committees and standing subcommittees are authorized:

- (a) To maintain a continuous review of the work of the state agencies concerned with their subject areas and the performance of the functions of government within each subject area;
- (b) To invite public officials, employees, and private individuals to appear before the committees or subcommittees to submit information;
- (c) To request reports from departments performing functions reasonably related to the committees' jurisdictions; and
- (d) To complete the interim work assigned by the President.

(2) In order to carry out its duties, each standing committee or standing subcommittee has the reasonable right and authority to inspect and investigate the books, records, papers, documents, data, operation, and physical plant of any public agency in this state.

(3) In order to carry out the committee's duties, the chair of each standing committee, standing subcommittee, and select committee may request the President to issue subpoenas, subpoenas duces tecum, and other necessary process to compel the attendance of witnesses and the production of any books, letters, or other documentary evidence required by such committee. The President may issue said process at the request of the committee chair. Any member of a standing committee, standing subcommittee, or select committee may administer all oaths and affirmations, in the manner prescribed by law, to witnesses who appear before such committees to testify in any matter requiring evidence.

##### 2.3—Committee reports

(1) Before a regular session of the Legislature convenes, each standing committee shall prepare a report of its findings, recommendations, and proposed legislation on its authorized interim projects, and file same with the President and the Secretary.

(2) Before a regular session of the Legislature convenes, each standing subcommittee shall prepare a report of its findings, recommendations, and proposed legislation on its authorized interim projects, and submit same to the chair of the standing committee for consideration by such committee.

(3) Within thirty (30) days following sine die adjournment of a session, committees shall provide information on bills passed by both houses during that session.

##### 2.4—Committee staffing

A committee shall be staffed with personnel, subject to guidelines and criteria authorized by the President. The staff shall also be subject to the pay and classification code of the Senate. The President may authorize

joint utilization of personnel with the House of Representatives and may authorize the Senate to share in the cost.

### 2.5—Committee utilization of federal funds

No committee shall make application for or utilize federal funds, personnel, services, or facilities unless approval is obtained from the Rules Committee.

### 2.6—Notice of committee meetings

(1) Notice of meetings of standing committees, standing subcommittees, and select committees shall be published in the daily calendar. No committee shall consider any bill during the first fifty (50) days of any regular session until proper notice is published in the calendar for the two (2) legislative days preceding and the day of such committee meeting, except committees may meet on the first and second days of a regular session provided a meeting notice was published in a Senate calendar and made available in the public corridor leading to the Senate Chamber for at least two (2) days preceding and the day of such meeting.

(2) After the first fifty (50) days of any regular session, meetings of standing committees, standing subcommittees, and select committees scheduled in accordance with Rule 2.9 may be held following an announcement by the chair of the committee or subcommittee or, in the chair's absence, the vice chair while the Senate is in session. Notice shall be made available in the public corridor leading to the Senate Chamber at least four (4) hours in advance of the meeting.

(3) The chair of a standing committee, standing subcommittee, or select committee or, in the chair's absence, the vice chair shall provide the Secretary's office with written information concerning meetings that shall include the date, time, and place of the meeting together with the name of the introducer, subject, and number of each bill to be considered.

(4) While the Legislature is not in session, a standing committee, standing subcommittee, or select committee shall file a meeting notice with the Secretary at least seven (7) days prior to the meeting. The notice shall state the date, time, amendment deadline, and place of the meeting together with the name of the introducer, subject, and number of each bill to be considered. The Secretary shall make the notice available to the membership and the public.

### 2.7—Bills recommitted

(1) A bill reported by a standing committee without proper notice shall be recommitted to the committee reporting the same on the point of order being made within two (2) days after such report is printed in the Journal, or the President may recommit such bill at any time. Once recommitted, the bill is available for consideration by the committee as if it had never been reported.

(2) A bill reported by a standing subcommittee to its standing committee without proper notice shall be recommitted to the subcommittee reporting same on the point of order made during the standing committee meeting at which the bill was reported by the subcommittee. Once recommitted, the bill is available for consideration by the subcommittee as if it had never been reported.

### 2.8—Notice of meeting; publication

For publication in the daily calendar, notice of standing committee, standing subcommittee, or select committee meetings shall be delivered to the Secretary's office in writing by 4:30 p.m. on the day preceding its intended publication. If such day is a Friday, delivery shall be by 2:30 p.m. Meeting notices shall appear in the daily calendar.

### 2.9—Committee meetings; committee meetings after fiftieth (50th) day

(1) Each standing committee, standing subcommittee, and select committee shall consider the public business assigned to it as expeditiously as possible and proper.

(2) The President shall provide a schedule of days, hours, and places for the meeting of committees for the regular session and during the interim, and deliver a copy of same to each Senator. However, no com-

mittee shall meet before 7:00 a.m. nor meet or continue to meet after 6:00 p.m. This scheduling shall not limit the powers of the chair of a standing committee or subcommittee as provided in these Rules.

(3) Unless approved by the President, no committee shall meet after the fiftieth (50th) day of any regular session except the Rules Committee.

### 2.10—When, where committees meet

Each committee or subcommittee, standing or select, shall meet in the place and within the time assigned for its use by the President and notice of such assignment shall be made available by the Secretary in the public corridor leading into the Senate Chamber. No committee except the Rules Committee shall meet while the Senate is in session without the consent of the majority of the Senate present.

### 2.11—Attendance by introducer of bill

The introducer of a bill shall attend the meeting of the committee before which such bill is noticed as provided in these Rules. Such introducer may discharge this duty by sending another legislator, his or her legislative assistant, or any other designee having written permission to speak for the bill. Senate committee professional staff shall be limited to presenting committee bills at meetings of their assigned committees and to presenting before other committees those committee bills that are the subject of approved Senate interim projects.

### 2.12—Order of business

(1) Bills shall be considered in the order appearing in the notice required by these Rules, except that the chair may, in the chair's sole discretion, consider a bill out of its order to accommodate the presence of a Senator or Representative who is the introducer thereof.

(2) A bill shall be considered out of its order on the committee agenda on unanimous consent of those committee members present obtained in the following manner: prior to consideration of the motion, the member moving for unanimous consent of those committee members present shall orally give the committee not less than fifteen (15) minutes' notice of the member's intention to move and shall specify the number of the bill. On the entertainment of the motion, the moving member shall be allowed one (1) minute to explain his or her purpose, and unanimous consent of those committee members present shall be given or refused without further debate.

### 2.13—Open meetings

Except as otherwise provided in the Senate Rules, all committee meetings shall be open to the public, subject always to the powers and authority of the chair to maintain order and decorum. If any matter is reported on the basis of a poll of the committee, such matter shall be referred to such committee on a point of order made prior to final passage thereof.

### 2.15—Standing committee in deliberation; reports

(1) It shall be the duty of standing committees to report all matters referred to them either:

- (a) Favorably,
- (b) Favorably with committee amendment(s),
- (c) Favorably with committee substitute as defined in these Rules, or
- (d) Unfavorably.

The vote of the members of a standing committee or subcommittee on final passage of any measure shall be recorded. Upon the request of any two (2) members of a committee or subcommittee, the vote on any other matter or motion properly before the committee shall be recorded. After such report has been received by the Secretary, no matter so reported shall be recommitted to a committee except by a two-thirds (2/3) vote of those Senators present in session or except as provided in Rule 2.7 or Rule 4.7(2).

(2) Such reports shall also reflect:

- (a) The date, time, and place of the meeting at which the action was taken, and
- (b) The vote of each member of the committee on the motion to report each bill.

The Secretary shall enter in the Journal the action of the committee, but shall not include that portion of the report relating to the date, time, and place of the meeting or the vote of each member on the motion to report a measure. Reports of committees shall be preserved pursuant to law.

(3) In reporting a Senate measure, a standing committee may draft a new measure embracing the same general subject matter to be returned to the Senate with the recommendation that the substitute be considered in lieu of the original measure. The substitute measure must be accompanied by the original measure referred to the committee and returned to the Secretary in the same manner as a favorable report. No other standing committee of reference shall consider the original measure but shall direct its attention to the substitute measure. A committee receiving a committee substitute from a prior committee of reference may also report a committee substitute and shall not be precluded from doing so with the substance of the bill as originally introduced. When reported, the substitute shall be read a first (1st) time by title, the original proposition shall be automatically tabled, and the substitute considered in lieu of without motion. The substitute shall carry the identifying number of the original and shall be returned to the Secretary in the same number of copies required for first (1st) introduction of a similar measure. The names of the introducer and each co-introducer of the original measure shall be shown by the committee administrative assistant on the committee substitute unless an introducer or co-introducer requests that it be omitted. A Senate committee may not recommend a Senate committee substitute for a House bill.

(4) All standing committee reports shall be approved by the chair or, in the chair's absence, the vice chair. Such reports shall be filed with the Secretary's office as soon as practicable, but not later than 4:30 p.m. on the next legislative day, except a committee drafting and recommending a committee substitute shall file such committee report no later than 4:30 p.m. on the second (2nd) legislative day. These reports must be accompanied by the original bill. Each report by a committee must set forth the identifying number of the bill. If amendments are proposed by the committee, the words "with amendments" shall follow the identifying number. Committee amendments shall be printed in full on forms prescribed by the Secretary and shall accompany the report. All bills reported unfavorably shall be laid on the table.

#### **2.16—Standing subcommittee in deliberation; reports**

(1) It shall be the duty of standing subcommittees to report all measures referred to them directly to the standing committee, which shall promptly certify a copy to the Secretary. The standing subcommittee shall report all matters either:

- (a) Favorably,
- (b) Favorably with committee amendment(s),
- (c) Favorably with committee substitute as defined in these Rules, or
- (d) Unfavorably.

(2) Such reports shall also reflect:

- (a) The date, time, and place of the meeting at which the action was taken, and
- (b) The vote of each member of the subcommittee on the motion to report each bill.

(3) In reporting a bill to the standing committee, a standing subcommittee may draft a new measure, embracing the same general subject matter, to be returned to the standing committee with the recommendation that the substitute be considered in lieu of the original measure. The substitute measure must be accompanied by the original measure referred to the standing subcommittee and returned to the standing committee in the same manner as a favorable report. The standing committee of reference shall not consider the original measure but shall direct its attention to the substitute measure. The standing committee receiving a committee substitute from a subcommittee of reference may also report a committee substitute and shall not be precluded from doing so with the substance of the bill as originally introduced. When reported, the substitute shall be read a first (1st) time by title, the original proposition shall be automatically tabled, and the substitute considered in lieu of without motion. The substitute shall carry the identifying number of the original and shall be returned to the standing committee in the same number of copies required for first (1st) introduction of a similar measure. The names of the introducer and each co-introducer of the original measure shall be shown by the committee administrative assistant on the committee substitute unless an in-

roducer or co-introducer requests that it be omitted. A Senate subcommittee may not recommend a Senate committee substitute for a House bill.

(4) All standing subcommittee reports shall be approved by the chair or, in the chair's absence, the vice chair. Each report by a standing subcommittee must set forth the identifying number of the measure. If amendments are proposed by the standing subcommittee, the words "with amendments" shall follow the identifying number. Standing subcommittee amendments shall be printed in full on forms prescribed by the Secretary and shall accompany the report.

(5) All bills reported unfavorably shall be laid on the table when the standing committee considers the standing subcommittee's report. On motion by any member of the committee, adopted by a two-thirds (2/3) vote of those standing committee members present, the same may be taken from the table. When a bill is thus removed from the table by a standing committee, it shall receive a hearing de novo and witnesses shall be permitted to testify.

(6) When a bill with a favorable report by a standing subcommittee is considered by the standing committee, no additional testimony shall be permitted except by a majority vote of those standing committee members present before final action is taken; however, debate by members of the standing committee shall be allowed.

(7) A bill with a favorable subcommittee report may be withdrawn, in accordance with Rule 4.10, from the standing committee without any further action on the bill by the standing committee.

#### **2.17—Quorum of committee**

A standing committee, standing subcommittee, or select committee is assembled only when a quorum constituting a majority of the members of that committee is present in person. No committee business of any type shall be conducted in the absence of a quorum. Any matter reported in violation of this Rule shall be recommitted by the President when it is called to the President's attention by a Senator.

#### **2.19—Conference committee in deliberation; reports**

(1) All meetings of Senate conferees with House conferees at which the business of the conference committee is discussed shall be open to the public subject to proper order and decorum. A meeting of the Senate and House conferees is a meeting of the two (2) groups, therefore, the rules governing each respective house apply. Meetings between a majority of the members of a conference committee may be held following a notice being filed with the Secretary by or at the direction of the person calling the meeting, at least one (1) hour in advance of the meeting. The notice shall indicate the names of the conferees and scheduled participants, the date, the time, and the place of the meeting. Conference committees may meet at any time with proper notice.

(2) A conference committee, other than a conference committee on a general or special appropriations bill and its related legislation, shall consider and report only on the differences existing between the Senate and the House, and no substance foreign to the bills before the conferees shall be included in the report or considered by the Senate.

(3) A conference committee may only report by recommending the adoption of a series of amendments to the House or Senate bill that was the subject of the conference, or it may offer an amendment deleting everything after the enacting clause of any such bill referred to the committee. Such amendments shall accompany the conference committee report. In any event, the conference committee may recommend, as part of its report, the adoption or rejection of any or all of the amendments theretofore adopted by either house. Conference committee reports must be approved and signed by a majority of the managers on the part of each house. All final actions taken in a conference committee shall be by motion.

(4) Each conference committee report shall contain a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

(5) When the President appoints a conference committee, a notice of the following meetings to discuss matters relating to the conference, stating the names of the conferees and scheduled participants, and the

date, time, and place for the meeting, shall be filed with the Secretary by or at the direction of the person at whose call the meeting is convened, not less than one (1) hour preceding the time for the meeting:

- (a) Meetings between the President (or a Senator designated to represent the President), the Governor, and the Speaker (or a Representative designated to represent the Speaker);
- (b) Meetings between a majority of the members of any subcommittee of the conference committee;
- (c) Meetings between the President or any Senator(s) designated to represent the President and a conferee from the House of Representatives, or any meeting between a conferee from the Senate with the Speaker or any Representative(s) designated to represent the Speaker; and
- (d) Meetings of a majority of the Senate conferees; and when the bill that is the subject of the conference committee deals primarily with the general appropriations act or revenue matters, any meeting of three (3) or more conferees on the part of the Senate.

(6) Notice of meetings, as scheduled, between the chair of the Senate's conferees with the chair of the House's conferees, or between respective Senate and House committee chairs with each other, shall be posted in the public corridor leading to the Senate Chamber. In the case of the appropriations conference, said notice shall also be posted outside the door of the offices of the appropriations committees.

(7) All meetings for which notice is required pursuant to this Rule shall be held in the Capitol Complex, but shall not be held in the Chamber of either house while it is in session.

(8) When conferees on the part of the Senate report an inability to agree, any action of the Senate taken prior to such reference to a conference committee shall not preclude further action on the measure as the Senate may determine.

(9) After Senate conferees have been appointed for seven (7) calendar days and have failed to make a report, it is a motion of the highest privilege to move to discharge said conferees and to appoint new conferees, or to instruct said conferees. This motion shall have precedence over all other questions except motions to adjourn or recess to a later day, and questions of privilege. Further, during the last six (6) calendar days allowed under the *State Constitution* for any regular session, it shall be a privileged motion to move to discharge, appoint, or instruct Senate conferees after the Senate conferees have been appointed thirty-six (36) hours without having made a report.

## **PART TWO—COMMITTEES—OFFICERS**

### **2.20—Appointment of chair and vice chair**

A chair and a vice chair of each standing committee shall be appointed by the President and shall continue in office at the pleasure of the President. The President shall also appoint a chair for each standing subcommittee and select committee authorized by these Rules and may designate a vice chair, both of whom shall continue in office at the pleasure of the President.

### **2.21—Chair's calling of committee to order**

The chair or, in the chair's absence, the vice chair, shall call the committee to order at the hour provided by these Rules. A quorum being present, the committee shall proceed with the order of business. Any member of the committee may question the existence of a quorum. No committee business of any type shall be conducted in the absence of a quorum.

### **2.22—Chair's control**

The chair shall preserve order and decorum and shall have general control of the committee room. If there is a disturbance or disorderly conduct in the committee room, the chair may require participants in the disturbance to clear the room.

### **2.23—Chair's authority; appeals**

(1) The chair shall approve all notices, vouchers, subpoenas, or reports required or permitted by these Rules.

(2) The chair shall decide all questions of order, subject to an appeal by any Senator, and the appeal shall be certified by the chair to the Senate for a decision by the President during the daily session of the Senate next following such certification. The ruling shall be entered in the Journal, shall constitute binding precedent on all committees of the Senate, and shall be subject to appeal as any other question. The chair may, or on the vote of a majority of the committee members present shall, certify a question of parliamentary procedure to the President as contemplated by the Rule without a formal appeal. Such a certified question shall be disposed of by the President as if it had been on appeal. The perfection of an appeal or the certification of a question pursuant to this Rule shall not constitute an automatic stay to further legislative action on the measure under consideration.

### **2.24—Chair, vice chair; vote**

The chair and vice chair shall vote on all matters before such committee. The name of the chair shall be called last.

### **2.25—Temporary alternate to chair**

The chair may name any member of the committee to perform the duties of the chair if such substitution shall not extend beyond such meeting. If for any reason the chair is absent and fails to name a member, the vice chair shall assume the duties of the chair during the chair's absence.

### **2.26—Vice chair's duties**

On the death, incapacitation, or resignation of the chair, the vice chair shall perform the duties of the office until the President shall appoint a successor. In the absence of the chair, the vice chair shall act as chair.

## **PART THREE—COMMITTEES—MEMBERS**

### **2.27—Members' attendance, voting, proxy**

(1) Unless excused or necessarily prevented, every member of a committee shall be in attendance during each of its meetings.

(2) The chair may excuse any member for just cause from attendance at meetings of his or her committee for any stated period, and this excused absence shall be noted on the committee's records.

(3) Failure to attend two (2) consecutive regular meetings, unless excused from attendance in the Senate on those days as provided in these Rules or by the chair of the committee, shall constitute automatic withdrawal from the committee.

(4) No member of any committee shall be allowed to vote by proxy. A majority of all the committee members present shall agree by their votes on the disposition of any matter considered by the committee.

(5) The President may designate either the President Pro Tempore or the Majority Leader to vote in any committee. The President shall notify the Secretary and the chair of the affected committee of the designation. The designee may not count for the purpose of a quorum unless specifically stated in the notification.

## **PART FOUR—COMMITTEES—VOTING**

### **2.28—Taking the vote**

(1) The chair shall declare all votes and shall cause same to be entered on the records of the committee, but if any member questions a voice vote, then by a show of hands by two (2) members the chair shall count the yeas and nays. When the committee is equally divided, the question shall be lost.

- (2) A member may request to:
  - (a) Vote, or
  - (b) Change his or her vote

before the results of a roll call are announced. After the results have been announced, a member with unanimous consent of those committee members present may vote or change his or her vote. If the vote alters the final action of the committee, no vote or change of vote shall be valid unless the matter has been reconsidered by the committee. On request of



a member prior to consideration of other business, the chair shall order a verification of a vote.

### 2.29—Pair voting prohibited

No pair voting shall be permitted by the committee.

### 2.30—Casting vote for another

No Senator shall cast a vote for another Senator, nor shall any person not a Senator cast a vote for a Senator. In addition to such penalties as may be prescribed by law, any Senator who shall vote or attempt to vote for another Senator may be punished as the Senate may deem proper. Also, any person not a Senator who shall vote in the place of a Senator shall be excluded from the committee for the remainder of the session.

### 2.31—Explanation of vote

No member shall be permitted to defer or explain his or her vote during a roll call, but may submit his or her explanation in writing and file it with the chair. This explanation shall be kept as part of the committee record and a copy filed with the Secretary.

## PART FIVE—COMMITTEES—MOTIONS AND PRECEDENCE

### 2.32—Motions; how made, withdrawn

Every motion may be made orally. On request of the chair, a member shall submit his or her motion in writing. After a motion has been stated or read by the chair, it shall be deemed to be in possession of the committee without a second, and shall be disposed of by vote of the committee members present. The mover may withdraw a motion at any time before the same has been amended, or before a vote shall have commenced. The mover of a motion to reconsider may withdraw that motion only with the unanimous consent of those committee members present.

### 2.33—Motions; precedence

(1) When a question is under debate, the chair shall receive no motion except:

- (a) To rise
- (b) To take a recess
- (c) To reconsider
- (d) To limit debate
- (e) To temporarily postpone
- (f) To commit to a select subcommittee
- (g) To amend

which shall have precedence in the descending order given.

(2) The chair shall present all questions in the order in which they are moved unless the subsequent motion is previous in nature.

(3) When a motion is under consideration, but prior to the commencement of the vote, a substitute motion shall be in order. Only one (1) substitute shall be considered and the substitute shall be in the same order of precedence.

### 2.34—Division of question

A member may move for a division of a question when the sense will admit of it. A motion to delete and insert shall be deemed indivisible; a motion to delete, being lost, shall neither preclude amendment nor a motion to delete and insert.

### 2.35—Reconsideration generally

(1) When a question has been decided by a committee, any member voting with the prevailing side may move for reconsideration of the question. Also when a question has been decided by voice vote, any member, during the meeting at which the vote was taken, may so move. If the committee shall refuse to reconsider or, upon reconsideration, shall confirm its first decision, no further motion to reconsider shall be in order except upon unanimous consent of those committee members present.

(2) Consideration of a motion to reconsider a measure or the confirmation of an executive appointment shall be a special and continuing order of business for the succeeding committee meeting, and, unless

considered during such meeting, shall be considered abandoned. Such motion may be made prior to or pending a motion to rise. During the last fourteen (14) days of a regular session, a motion to reconsider shall be made and considered during the meeting at which the original vote was taken.

### 2.36—Reconsideration; vote required

The affirmative votes of a majority of the committee members present shall be required to adopt a motion to reconsider.

### 2.37—Reconsideration; debate allowed

Debate shall be allowed on a motion to reconsider only when the question is debatable. When debate on a motion to reconsider is in order, no Senator shall speak thereon more than once nor longer than five (5) minutes.

### 2.38—Reconsideration; collateral matters

A motion to reconsider a collateral matter must be disposed of during the course of the consideration of the main subject to which it is related, and such motion shall be out of order after the committee has passed to other business.

## PART SIX—COMMITTEES—AMENDMENTS

### 2.39—Amendments, proposed committee substitutes, and proposed committee bills; form, notice, manner of consideration

(1) No amendment or proposed committee substitute to any measure, or no proposed committee bill on any committee agenda shall be considered by that committee unless the amendment, proposed committee substitute, or proposed committee bill was prepared in proper form and filed with the committee administrative assistant at least twenty-four (24) hours prior to the noticed meeting time. For the purpose of this rule, office hours are Monday through Friday, 8:00 a.m. - 5:00 p.m. Copies of such amendment, proposed committee substitute, or proposed committee bill shall be made reasonably available by the committee administrative assistant before the meeting to the members of the committee and to the public.

- (a) Subsequent to distribution of all timely filed amendments, amendments to amendments or substitute amendments may be filed to any measure to which an amendment was timely filed. Such amendments must be filed with the committee administrative assistant at least two (2) hours prior to the noticed meeting time.
- (b) Subsequent to distribution of all timely filed proposed committee substitutes and proposed committee bills, amendments, amendments to amendments, or substitute amendments to any proposed committee substitute or proposed committee bill must be filed with the committee administrative assistant at least two (2) hours prior to the noticed meeting time.
- (c) Amendments to late-filed amendments, proposed committee substitutes, or proposed committee bills shall be considered timely filed if filed at least two (2) hours prior to the noticed meeting time.
- (d) After the first fifty (50) days of any regular session, an amendment, proposed committee bill, or proposed committee substitute to any measure prepared prior to a committee meeting at which it is offered shall be filed with the committee administrative assistant at least two (2) hours prior to the noticed meeting time.
- (e) The consideration of any amendment, proposed committee bill, or proposed committee substitute not timely filed in accordance with this rule, including any filed during a committee meeting in which it is to be offered, requires a two-thirds (2/3) vote of those committee members present if any member requests that such a vote be taken. These time requirements do not apply to a committee's recommendation during a meeting to make a committee substitute which is merely a combination of the noticed bill and amendment.

- (2) Amendments shall be filed on forms prescribed by the Secretary.
  - (a) An amendment shall be considered only after its sponsor, who is a member of the committee, gains recognition from the chair to move its adoption.

- (b) An amendment shall be deemed pending only after its sponsor has been recognized by the chair and has moved its adoption. Amendments that have been filed but have not been formally moved for adoption shall not be deemed to be pending.
- (c) No proposition on a subject different from that under consideration shall be admitted in the form of an amendment.

#### 2.40—Sequence of amendments to amendments

(1) An amendment to a pending amendment may be received, but until it is disposed of, no other motion to amend will be in order, except a substitute amendment or an amendment to the substitute. Such amendments are to be disposed of in the following order:

- (a) Amendments to the amendment are acted on before the substitute is taken up.
- (b) Amendments to the substitute are next voted on.
- (c) The substitute then is voted on.

(2) The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment to the bill itself.

(3) The following amendments are out of order:

- (a) A substitute amendment for an amendment to an amendment.
- (b) A substitute amendment for an amendment to a substitute.

#### 2.41—Deleting everything after enacting clause

A proposal to delete everything after the enacting clause of a bill, or the resolving clause of a resolution, and insert new language of the same general subject as stated in the original title shall be deemed proper and germane and shall be treated as an amendment.

#### 2.42—Amendment by section

The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill is being considered section by section or item by item, only amendments to the section or item under consideration shall be in order. The chair, in recognizing members for the purpose of moving the adoption of amendments, shall endeavor to cause all amendments to section 1 to be considered first, then all those in section 2, and so on. After all sections have been considered separately, the entire bill shall be open for amendment.

#### 2.43—Senate amendments to House bills

A House bill may be amended in the same manner as a Senate bill.

#### 2.44—Amendments by another committee

Amendments recommended by all committees of reference shall accompany a bill when filed with the Secretary. No committee shall physically remove an amendment by another committee but may recommend an amendment to an amendment, or a substitute for an amendment, by another committee. Any accompanying amendment shall be included in a subsequent committee substitute unless altered or negated by committee action. Amendments adopted by a committee to be incorporated in a committee substitute need not be filed with the Secretary as part of the reports required in Rules 2.15 and 2.16.

### PART SEVEN—COMMITTEES—DECORUM AND DEBATE

#### 2.45—Decorum and debate

When a member desires to speak or present a matter to the committee, the member shall address himself or herself to “Mr. or Madam Chair” and, on being recognized, may address the committee and shall confine any remarks to the question under debate, avoiding personality. A member shall not address or refer to another member by his or her first name. A member shall use the appellation of “Senator” or such appellation and the surname of the member referred to or addressed.

#### 2.46—Chair’s power to recognize

When two (2) or more members request to speak at once, the chair shall recognize the member who is to speak first.

#### 2.47—Interruptions; when allowed

(1) No member shall be interrupted by another without the consent of the member who has the floor, except by:

- (a) Rising to a question of privilege;
- (b) Rising to a point of order requiring an immediate ruling;
- (c) Rising to appeal a decision of the chair concerning a point of order (if the appeal is made immediately following the decision);
- (d) Rising to make a parliamentary inquiry requiring an immediate reply; or
- (e) Rising to question the existence of a quorum.

(2) The chair shall strictly enforce this Rule.

#### 2.48—Speaking rights

(1) When a member is speaking and another member interrupts to request recognition, the chair may permit the person rising to state why he or she desires the floor. If the question the member desires to raise is entitled to precedence, the member originally speaking shall relinquish the floor until the question having precedence is disposed of. The member is then entitled to resume the floor.

(2) The member making a debatable motion or the introducer of a bill, whether or not a member of the committee, shall have five (5) minutes in order to close debate.

#### 2.49—Time for debate

No Senator shall speak longer than ten (10) minutes without yielding the floor, except by consent of a majority of those committee members present.

#### 2.50—Limitation on debate

When a matter is under debate by the committee, a member may move to limit debate, and the motion shall be decided without debate. The introducer of the pending matter shall have five (5) minutes to discuss the motion, and the introducer may divide such time with, or waive it in favor of, some other member. If the question is decided in the affirmative by a two-thirds (2/3) vote of those committee members present, the debate shall be limited accordingly. The time allotted by such limitation shall be apportioned by the chair. Once limited, debate may be extended beyond the original debate time limit by a majority vote of the committee members present.

#### 2.51—Priority of business

All questions relating to the priority of business shall be acted on and shall be decided without debate.

#### 2.52—Repealed

#### 2.53—Appeals

The proper method of taking exception to a ruling of the chair is by appeal. An appeal from a decision of the chair must be made promptly before debate has concluded or other business has intervened. A point of order on any other question is not in order while an appeal is pending, but a point of order relating to the appeal may be raised; if the determination of the appeal is dependent on this point, it may be decided by the chair. This second (2nd) decision is also subject to appeal.

#### 2.54—Appeals debatable

An appeal from a decision of the chair on a point of order is debatable even though the question from which it arose was not debatable.

### RULE THREE

#### BILLS, RESOLUTIONS, AND MEMORIALS

#### 3.1—Form of bills

(1) All bills shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*, and the enacting clause, “Be It Enacted by the Legislature of the State of Florida.” The title of each bill

shall be prefaced by the words, "A bill to be entitled An act." Standard rules of capitalization shall apply.

(2) The original must be approved by the introducer and backed in a folder-jacket. On these jackets shall be inscribed the name and district number of the introducer and any co-introducers or the introducing committee and its chair, and enough of the title for identification.

(3) Bills that propose to amend existing provisions of the *Florida Statutes* (as described in Article III, Section 6 of the *State Constitution*) or the *Laws of Florida* shall contain the full text of the section, subsection, or paragraph to be amended. Joint resolutions that propose to amend the *State Constitution* shall contain the full text of the section to be amended.

(4) In general bills and joint resolutions that propose to create or amend existing provisions of the *Florida Statutes*, *Laws of Florida*, or the *State Constitution*, new words shall be inserted underlined, and words to be deleted shall be lined through with hyphens, except that the text of the General Appropriations Act shall not be underlined.

(5) When the change in language is so general that the use of these procedures would hinder, rather than assist, the understanding of the amendment, it shall not be necessary to use the coded indicators of words added or deleted but, in lieu thereof, a notation similar to the following shall be inserted immediately preceding the text of the provision being amended: "Substantial rewording of section. See s. [number], F.S., for present text." When such notation is used, the notation as well as the substantially reworded text shall be underlined.

(6) The words to be deleted and the above-described indicators of such words and of new material are for information and guidance and shall not be considered to constitute a part of the bill under consideration.

(7) Section catchlines of existing text shall not be typed with underlining.

### 3.2—Bills for introduction

A bill may not be introduced until properly filed with the Secretary.

### 3.3—Form of local bills

As required by Article III, Section 10 of the *State Constitution*, all local bills must either embody provision for ratifying referenda (stated in the title as well as in the text of the bill) or be accompanied by an affidavit of proper advertisement. Forms of affidavit may be obtained from the Secretary. All local bills that require publication shall, when introduced, have proof of publication securely attached to the original copy of the bill and the words "Proof of Publication Attached" clearly typed or stamped on the Senate side of the bill jacket or cover, or the same shall be rejected by the Secretary.

### 3.4—Form of joint resolutions

All joint resolutions shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*. Standard rules of capitalization shall apply. They shall contain the resolving clause, "Be It Resolved by the Legislature of the State of Florida:." Each joint resolution shall be prefaced by the words: "A joint resolution."

### 3.5—Form of memorials

All memorials shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*. Standard rules of capitalization shall apply. They shall contain the resolving clause, "Be It Resolved by the Legislature of the State of Florida:."

### 3.6—Form of resolutions; Senate and concurrent

(1) All Senate resolutions and all concurrent resolutions shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*. Standard rules of capitalization shall apply. Senate resolutions shall contain the resolving clause: "Be It Resolved by the Senate of the State of Florida:." Concurrent resolutions shall contain the resolving clause: "Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:."

(2) Only the Secretary shall prepare copies of Senate resolutions that are to be furnished to any person after the resolution's adoption.

### 3.7—Bill filing deadline during regular session; bill filing between regular sessions

(1) To facilitate processing and committee referencing, all bills (except for the general appropriations bill, implementing bills, appropriations conforming bills, local bills, Senate resolutions, concurrent resolutions, committee bills, and trust fund bills or public-record exemptions that are linked to timely filed general bills) shall be filed for introduction with the Secretary no later than 12:00 noon of the first (1st) day of the regular session.

(2) A motion to waive this Rule shall be referred to the Rules Committee for a hearing and its advisory recommendation as to the existence of an emergency reasonably compelling consideration of a bill notwithstanding this Rule and a recommendation shall be reported back to the Senate. The Secretary shall number each bill to provide identity and control until a permanent number can be affixed.

(3) Between regular sessions of the Legislature, bills may be filed by delivery to the Secretary.

### 3.8—Filed bills; consideration between regular sessions

(1) A filed bill complying with these Rules shall, in anticipation of the next regular session, be serially numbered in accordance with the permanent system required by these Rules.

(2) The Secretary shall provide each such numbered bill to the President for reference to a committee or committees pursuant to these Rules. The Secretary shall promptly forward each referenced bill to the first (1st) or only committee of reference. The Secretary shall make available to each Senator all filed bills, including the referencing data for each bill, and a calendar of all committee hearings, including the bills noticed for hearing by each.

(3) Each bill considered by a committee and reported to the Secretary during the interim shall be introduced and read on the first (1st) day of the regular session, pursuant to the *State Constitution*, *Laws of Florida*, and these Rules. The Journal shall reflect the committee reference and the report of the committee. All requirements for the referencing of bills to and the consideration of bills by Senate committees shall be deemed to have been met and discharged if the jurisdictional requirements of this Rule have been complied with as to each of such bills.

(4) If a committee fails to consider and report a filed bill prior to the convening of a regular session, the committee or committees failing to so report shall conduct hearings and file reports during the regular session.

(5) Notwithstanding these Rules, a Senator may, during the day of introduction of filed bills, but no later than under the Order of Business of "Motions Relating to Committee Reference" on the second (2nd) legislative day on which the Senate meets, move for reference to a different committee or for removal from a committee. This motion may be adopted by a two-thirds (2/3) vote of those Senators present.

(6) Prior to the introduction of a bill on the first (1st) day of the regular session, a Senator may give written notification to the Secretary to withdraw his or her bill from further consideration of the Senate.

### 3.9—Copies of bills

When filed, bills (including committee bills and committee substitute bills) shall be published by the Secretary for the information of the Senate and the public. The absence of a published copy shall not delay the progress of a measure at any stage of the legislative process. Sufficient copies of the general appropriations bill proposed to be introduced by the Budget Committee shall be made available to the members and, upon request, to the public, at the Office of the Secretary and at the committee's office, no less than two (2) hours prior to the time the Budget Committee meets to consider the proposed committee bill.

### 3.10—Identification of bills

Bills and other measures requiring legislative action shall be introduced in the order they are received at the desk of the Secretary. They

shall be serially numbered with even numbers as introduced, without differentiation in number as to type. The Secretary shall mark the original copy of each measure to ensure its identification, and each page thereof, as the item introduced in order to prevent unauthorized or improper substitutions. This identification may be made by any device to accomplish the purpose of this Rule. Such device shall be in the custody of the Secretary, and its use by any person not authorized by this Rule is prohibited.

### 3.11—Companion measures

When a Senate bill is reached on the calendar of the Senate for consideration, either on second (2nd) or third (3rd) reading, and there is also pending on the calendar of the Senate a companion measure already passed by the House, it shall be in order to move that the House companion measure be substituted and considered in lieu of the Senate measure. Such motion may be adopted by a majority vote of those Senators present, provided the House measure is on the same reading; otherwise, the motion shall be to waive the Rules by a two-thirds (2/3) vote of those Senators present and read such House measure. A companion measure shall be substantially the same and identical as to specific intent and purpose as the measure for which it is being substituted. At the moment the Senate passes the House companion measure, the original Senate measure shall be regarded as automatically tabled. Recommitment of a Senate bill shall automatically carry with it any House companion measure then on the calendar.

### 3.12—Introducers of bills; introducers no longer Senators

(1) Bills shall be approved for introduction by a Senator whose name is affixed to the original, or by any committee with the name of the committee and the name of the chair of the committee affixed to the original. A bill may be co-introduced by any Senator whose name is affixed to the original.

(2) A Senator who is not seeking or is ineligible for reelection and, therefore, will not be a Senator at the next regular session of the Legislature may not file a bill for that session. Once a Senator is no longer in office, any bill filed by that Senator for a current or future session of the Legislature shall be deemed withdrawn from further consideration of the Senate unless the bill has a co-introducer who, within seven (7) days, is willing to become the introducer of the bill.

### 3.13—Fiscal notes

(1) Upon being favorably reported by a committee, all general bills or joint resolutions affecting revenues, expenditures, or fiscal liabilities of state or local governments shall be accompanied by a fiscal note. Fiscal notes shall reflect the estimated increase or decrease in revenues or expenditures. The estimated economic impact, which calculates the present and future fiscal implications of the bill or joint resolution, must be considered. The fiscal note shall not express opinion relative to the merits of the measure, but may identify technical or mechanical defects.

(2) Fiscal notes on those bills affecting any state retirement system shall be prepared after consultation with an actuary who is a member of the Society of Actuaries, and the cooperation of appropriate state agencies for necessary data shall be solicited.

(3) Fiscal notes shall be regarded as memoranda of factual information and shall be made available to Senators.

(4) If a bill or joint resolution is reported favorably by a committee without a fiscal note or economic impact statement, as defined in this Rule, a Senator may at any time raise a point of order, and the President shall order return of the bill or joint resolution to the committee. A fiscal note prepared for a Senate bill or joint resolution shall be presumed as prepared also for its House companion for the purposes of point of order.

## RULE FOUR

### ORDER OF BUSINESS AND CALENDAR

#### 4.1—Sessions of the Senate

The Senate shall meet pursuant to a schedule provided by the President. This schedule shall set forth hours to convene and adjourn and may contain a schedule for the Special Order Calendars submitted by

the Calendar Group. During the first fifty (50) days of a regular session, the Senate shall not convene before 7:00 a.m. nor meet or continue to meet after 8:00 p.m. Otherwise, the Senate shall not convene before 7:00 a.m. nor meet or continue to meet after 6:00 p.m.

#### 4.2—Quorum

A majority of the Senate shall constitute a quorum, but a smaller number may adjourn from day to day and compel the attendance of absent members, in such manner and under such penalties as it may prescribe. A Senator at any time may question the existence of a quorum.

#### 4.3—Daily Order of Business

(1) The Daily Order of Business shall be as follows:

- (a) Roll Call
- (b) Prayer
- (c) Pledge of Allegiance to the Flag of the United States of America
- (d) Reports of Committees
- (e) Motions Relating to Committee Reference
- (f) Messages from the Governor and Other Executive Communications
- (g) Messages from the House of Representatives
- (h) Matters on Reconsideration
- (i) Consideration of Bills on Third (3rd) Reading
- (j) Special Order Calendars
- (k) Consideration of Bills on Second (2nd) Reading
- (l) Correction and approval of Journal

(2) The Secretary shall prepare and distribute, on each legislative day, a calendar corresponding to the Daily Order of Business; and within each order of business, matters shall be considered in the order in which they appear on such daily calendar. Local bills may be omitted from the formal calendar and may be distributed to Senators by the Secretary separately.

(3) Certain messages from the House of Representatives may be withheld from the Daily Order of Business pursuant to Rule 1.18 or on order of the President. Notwithstanding Rule 4.3(1), the Senate may take up messages from the House at the direction of the President.

(4) First (1st) reading of a bill shall be accomplished by publication of the title thereof in the Journal pursuant to Article III, Section 7 of the *State Constitution*.

(5) Except by unanimous consent of those Senators present in session, no bill shall be considered by the Senate if the bill or a companion measure has not been first reported favorably by at least one (1) Senate committee.

#### 4.4—Committee of the Whole

By a majority vote of those Senators present, the Senate may resolve itself into a Committee of the Whole and, when thus constituted, may consider any question whether formally introduced in the Senate or not. The Senate may, however, restrict the subject matter to be considered by the Committee of the Whole, or its jurisdiction, by resolving itself into a Committee of the Whole for a specific and limited purpose. The President shall preside and maintain order and decorum. The Senate Rules relating to standing committees shall govern when applicable. The Committee of the Whole may consider and report, by majority vote of those committee members present, on any bill or question not formally introduced in the Senate and any bill on which all standing committees of reference have rendered a favorable report. A bill on which committee action has been taken by the committee or committees of reference or on which an unfavorable committee report has been filed may be considered only by a two-thirds (2/3) vote of those committee members present. Such vote shall also be required to favorably report any such bill to the Senate. A bill thus originating in a Committee of the Whole shall, when introduced as contemplated by the *State Constitution*, receive no further reference to committee. A favorable report by a Committee of the Whole on a bill having theretofore received an unfavorable report by a standing committee of reference shall not have the effect of withdrawing such bill from the table. Consideration by the Senate of such a bill shall be preceded by the adoption of the appropriate motion during a session of the Senate. Bills considered by a Committee of the Whole shall be read once,

debated, amended, and acted on as a standing committee function. The body of a bill formally introduced shall not be interlined or defaced, but all amendments denoting the location shall be entered on a separate paper by the Secretary of the Committee of the Whole. The same shall be agreed to by the Committee of the Whole, and the report filed as otherwise provided in these Rules for committee reports. After report, the bill or other matter may be again debated and shall be subject to be again amended by the Senate. The quorum for a Committee of the Whole shall be the same as for the Senate, and when the Committee of the Whole shall rise, the roll shall be called to ascertain the presence of a quorum of the Senate.

#### 4.5—Conference committee report

(1) The report of a conference committee appointed pursuant to Rule 1.5 shall be read to the Senate on two (2) consecutive legislative days, and on the completion of the second (2nd) reading the vote shall be on the adoption or rejection thereof and final passage of the measure as recommended. During the last five (5) days of a regular session and during any extension thereof, the report shall be read only once. Copies of conference committee reports shall be available to the membership twelve (12) hours prior to the time such report is scheduled to be taken up on the Senate floor.

(2) The report must be acted on as a whole, being adopted or rejected, and each report shall include a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

(3) Except when the Senate is voting on a proposition, reports of conference committees shall always be in order.

#### 4.6—Reference generally

(1) All bills, including those that are strictly local in nature, shall be referred by the President to appropriate committees and standing subcommittees. Any general appropriations bill, appropriations implementing bills, and appropriations conforming bills introduced by the Budget Committee may be placed on the calendar without reference.

(2) Bills received by the President during a regular session and within three (3) weeks next preceding the convening of a regular session shall be referred within seven (7) days. Upon failure of the President to reference such bills within this limitation, they shall be referred to committees as may be recommended by the introducer. In the event of extended absence of the President or the President's disability or incapacity, the President Pro Tempore shall assume the duty of referring bills.

(3) When the Legislature is not in session, the President may change or correct a bill reference. Notice shall be given to the Secretary and the bill introducer.

(4) If the President has not previously designated a standing subcommittee of reference, the chair of the standing committee shall promptly determine whether such measure shall initially be considered by the standing committee, a standing subcommittee, or a select subcommittee appointed by the chair. The chair, in referring a bill to a subcommittee, shall specify the number of days available for consideration and may, at any time, remove the bill from the referenced subcommittee. If subreference is to a standing subcommittee, the chair of the standing committee shall promptly report this reference and the time allowed for consideration, or the removal of the bill from the referenced subcommittee, to the Secretary on forms prescribed by the Secretary.

(5) The review of a bill that appears to be local in nature shall be performed by the Rules Committee to determine whether such measure is local in nature for reference purposes and whether it responds to the legal requirements of a local bill.

(6) A bill is local in nature for referencing purposes if it does not substantially alter a law of general application throughout the state and it either affects no more than one (1) county or relates to a special district that is located wholly within no more than two (2) counties.

(7) When the Rules Committee, through staff review, has determined that the bill is not local in nature for referencing purposes, the committee shall report such determination to the President, who shall refer

such bill to an appropriate standing committee for hearing. Such report shall be made within fifteen (15) legislative days from date of receipt by the Rules Committee. When the Rules Committee, through staff review, has determined that a bill is local in nature for referencing purposes and that it responds to the legal requirements of a local bill, the bill shall be available for the calendar on local bills notwithstanding Rule 4.3(5).

#### 4.7—Reference to more than one committee; effect

(1) In case of multiple reference of a bill, it shall be considered by each committee separately in the order in which the multiple reference is made. However, if any committee to which the bill is referred makes an unfavorable report on said bill, that report shall be filed with the Senate and no further consideration given by other committees except by a two-thirds (2/3) vote of those Senators present.

(2) If a committee reports a bill favorably with committee substitute or with any amendment which substantially amends the bill, the President may change or correct the reference of the reported bill. This Rule does not apply to a bill reported by a subcommittee unless the bill has been withdrawn from the standing committee. Notice shall be given to the Secretary and the introducer of the bill.

#### 4.8—Review and reference of bills affecting appropriations, revenue, retirement, or county or municipal spending

All bills authorizing or substantially affecting appropriations or tax revenue shall be reviewed by the appropriate revenue or appropriations committee. All bills substantially affecting a state-funded or state-administered retirement system shall be reviewed by the Governmental Oversight and Accountability Committee. All bills which are affected by the provisions of Article VII, Section 18 of the *State Constitution* shall be reviewed by the Community Affairs Committee. A bill that is amended to substantially affect appropriations or tax revenue, a state retirement program, or expenditures or revenues as set forth in Article VII, Section 18 of the *State Constitution* may, before being placed before the Senate for final passage, be referred by the President along with all amendments to the appropriate revenue or appropriations committee.

#### 4.81—Claim bills

(1) Claim bills are of two (2) types: excess judgment claims filed pursuant to section 768.28(5), *Florida Statutes*, and equitable claims filed without an underlying excess judgment.

(2) All claim bills shall be filed with the Secretary on or before August 1 in order to be considered by the Senate during the next regular session, except that Senators elected to the Senate during a general election or a special general election may have sixty-two (62) days from the date of that election to file a claim bill. Senators currently serving who are re-elected during a general election are not subject to the immediately preceding provision relating to sixty-two (62) days. A motion to introduce a claim bill notwithstanding the claim bill filing deadline shall be referred to the Rules Committee for a hearing and a determination as to the existence of an emergency reasonably compelling consideration of a claim bill notwithstanding the claim bill filing deadline. A House claim bill which does not have a Senate companion claim bill timely filed under this Rule shall not be considered by the Senate. Any motion to consider a House claim bill which does not have a timely filed Senate companion bill shall be referred to the Rules Committee for a hearing and a determination as to the existence of an emergency reasonably compelling consideration of a claim bill notwithstanding the claim bill filing deadline. The determination by the Rules Committee shall be reported back to the Senate. Upon a determination by the committee that an emergency does exist, the motion may be considered by the Senate and must be adopted by a two-thirds (2/3) vote of those Senators present.

(3) If the President determines that a de novo hearing is necessary to determine liability, proximate cause, and damages, a special master shall conduct such hearing pursuant to reasonable notice. Discovery procedures shall be governed by the *Florida Rules of Civil Procedure* and the *Florida Evidence Code*, as applicable. The special master shall administer an oath to all witnesses, accept relevant documentary and tangible evidence properly offered, record the proceedings, and prepare a final report containing findings of fact, conclusions of law, and recommendations. The report shall be signed by the special master who

shall be available, in person, to explain his or her report to the committees and to the Senate.

(4) All claim bills shall be referred by the President to one (1) or more committees for review. On receipt of the special master's report and recommendations, if any, the Secretary shall, upon the President's reference, deliver each claim bill with the report attached to the committee or committees of reference.

(5) Stipulations entered into by the parties are not binding on the special master, the Senate, or its committees.

(6) The hearing and consideration of a claim bill shall be held in abeyance until all available administrative and judicial remedies have been exhausted; except that the hearing and consideration of a claim that is still within the judicial or administrative systems may proceed where the parties have executed a written settlement agreement. This subsection does not apply to a bill which relates to a claim of wrongful incarceration.

#### 4.9—Reference of resolutions

All resolutions shall be referred by the President to a standing committee, except resolutions on Senate organization, resolutions of condolence and commemoration that are of a statewide nonpolitical significance, or concurrent resolutions recalling a bill from the Governor's office, setting Joint Rules of the Legislature, extending a session of the Legislature, or setting an effective date for a bill passed over the Governor's veto. These may be considered on motion and adopted at time of introduction without reference, except that resolutions of condolence or commemoration that are of a statewide nonpolitical significance may be shown as introduced, read, and adopted by publication in full in the Journal. A joint resolution setting an effective date for a bill passed over the Governor's veto may be considered on motion and introduced without reference.

#### 4.10—Reference to different committee or removal

When the President has referred a bill, the Rules Chair may move for reference to a different committee or for removal from any committee after the introducer of the bill has filed a request with the Rules Chair signed by the chair of the affected committee, the Rules Chair, and the President. This motion may be adopted by a two-thirds (2/3) vote of those Senators present.

#### 4.11—Papers of miscellaneous nature

Papers of a miscellaneous nature addressed to the Senate may, at the discretion of the President, be read, noted in the Journal, or filed with an appropriate committee. When there is a demand to read a paper other than one on which the Senate is called to give a final vote and the same is objected to by any Senator, it shall be determined by a majority vote of those Senators present.

#### 4.12—Reading of bills and joint resolutions

Each bill or joint resolution shall receive three (3) separate readings on three (3) separate days previous to a vote on final passage unless decided otherwise by a two-thirds (2/3) vote of those Senators present as provided in Article III, Section 7 of the *State Constitution*.

#### 4.13—Reading of concurrent resolutions and memorials

(1) Each concurrent resolution or memorial shall receive two (2) separate readings by title on two (2) separate days previous to a voice vote on adoption, unless decided otherwise by a two-thirds (2/3) vote of those Senators present.

(2) Concurrent resolutions used to recall a bill from the Governor's office, adopt Joint Rules of the Legislature, extend a session of the Legislature, or set an effective date for a bill passed over the Governor's veto are exempt from the provisions of this Rule and may be introduced, read the first and second time, and adopted on the same day.

#### 4.14—Reading of Senate resolutions

On introduction each Senate resolution shall be read two (2) times by title only before the question is put on adoption by voice vote, except that

resolutions of condolence or commemoration that are of a statewide nonpolitical significance may be shown as introduced, read, and adopted by publication in full in the Journal.

#### 4.15—Referral or postponement on third (3rd) reading

On the third (3rd) reading of a bill or joint resolution, it shall not be referred or committed (except as provided under Rule 4.8) or amended (except a corrective or title amendment) except by a two-thirds (2/3) vote of those Senators present, nor shall the vote on passage be postponed to a day certain without the consent of a majority of those Senators present.

#### 4.16—Consideration out of regular order

A bill shall be considered out of regular order on the calendar on unanimous consent of those Senators present obtained in the following manner: prior to the consideration of the motion, the Senator moving for unanimous consent of those Senators present shall orally give the membership not fewer than fifteen (15) minutes' notice of his or her intention to move and shall specify the number of the bill and its position on the calendar. On entertainment of the motion, the moving Senator shall be allowed one (1) minute to explain his or her purpose, and unanimous consent of those Senators present shall be given or refused without further debate.

#### 4.17—Special Order Calendar; Consent Calendar

(1) Commencing fifteen (15) days prior to a regular session of the Legislature permitted under the *State Constitution* and continuing through any extension permitted under the *State Constitution*, a Calendar Group, consisting of the Rules Chair, Rules Vice Chair, Majority Leader, Minority Leader, two (2) members of the Rules Committee designated by the President, and one (1) member of the Rules Committee designated by the Minority Leader, shall submit a Special Order Calendar determining the list of bills for consideration by the Senate. The President shall determine the order of such bills on the Special Order Calendar.

(2) Except for a Special Order Calendar submitted for the first (1st) or second (2nd) day of a regular session, each Special Order Calendar shall be for the second (2nd) succeeding legislative day on which the Senate meets, and this calendar may include bills that had been scheduled for Special Order on the previous legislative day. No other bills shall be considered until this Special Order Calendar has been completed by the Senate, except that any bill appearing on this calendar may be stricken by a two-thirds (2/3) vote of those Senators present or any bill appearing on the calendar of bills on second (2nd) reading may be added to the end of the Special Order Calendar by the same vote. All bills set as Special Order for consideration at the same hour shall take precedence in the order in which they were given preference.

(3) A two-thirds (2/3) vote of those Senators present shall be required to establish a Special Order except as provided in this Rule. Notice of date, time, and place for the establishment of the Special Order Calendars shall be published in a Senate calendar; provided, during the last ten (10) days of each regular session, notice of date, time, and place may be given by announcement from the floor.

(4) The Rules Chair, with the approval of the President, may submit a Consent Calendar, to be held in conjunction with the Special Order Calendars. When such a day is designated, all bills appearing on the Consent Calendar shall be considered in their order of appearance. Amendments shall be limited to accompanying committee amendments, noncontroversial and technical amendments, and amendments required to conform a House companion bill to the Senate bill. However, if an objection by any Senator shall cause such bill to be temporarily postponed, it retains its order on the regular calendar. All Consent Calendar bills must have appeared on the printed Senate calendar.

#### 4.18—Local Bill Calendar

Local bills shall be disposed of according to the calendar of bills of a local nature and shall be considered only at such time as determined by the Rules Chair and approved by the President. Any member of the delegation for the local area affected by a bill on the Local Bill Calendar may request that the bill be removed from such calendar.

**4.19—Order after second (2nd) reading**

The order of disposition of a Senate bill that has been read the second (2nd) time and amended shall be its reference to the engrossing clerk to be engrossed after all questions relative to it while on second (2nd) reading have been disposed of, and the same shall be immediately engrossed and placed on the calendar of bills on third (3rd) reading to be considered on a succeeding legislative day. No bill shall be committed to the engrossing clerk or placed on the calendar of bills on third (3rd) reading unless all motions relative to it and placed, by the President, before the Senate have been disposed of. Amendments filed with the Secretary, the adoption of which have not been formally moved, shall not be construed to be pending so as to deter such advancement. A bill shall be available for its third (3rd) reading when it has been read a second (2nd) time on a previous day and no motion left pending. Bills calendared for second (2nd) or third (3rd) reading shall not be considered on such reading until reached on the calendar and appropriately read to the Senate as directed by the President.

**4.20—Enrolling**

The Secretary shall be responsible for the enrolling of all bills. After enrollment, all bills shall be signed by the President and the Secretary and the enrolling report shall be published in the Journal.

**4.21—Veto messages**

As required by Article III, Section 8 of the *State Constitution*, if the originating house votes to re-enact a vetoed measure, whether in a regular or special session, and the other house does not consider or fails to re-enact the vetoed measure, no further consideration by either house at any subsequent session may be taken. If a vetoed measure is presented at a special session and the originating house does not consider it, the measure will be available for consideration at any intervening special session and until the end of the next regular session. All veto messages shall be referred to the Rules Committee.

**RULE FIVE****VOTING****5.1—Taking the yeas and nays**

The President shall declare all votes, but, if five (5) Senators immediately question a voice vote by a show of hands, the President shall take the vote by yeas and nays or electronic roll call. When taking yeas and nays on any question, the electronic roll call system may be used and shall have the force and effect of a roll call taken as provided in these Rules. Also, this system may be used to determine the presence of a quorum. When the Senate is ready to vote on a question requiring roll call and the vote is by electronic roll call, the President shall state: "The Secretary will unlock the board and Senators prepare to vote." When sufficient time has elapsed for each Senator to vote, the President shall say: "Have all voted?" And, after a short pause, shall state: "The Secretary shall now lock the board and record the vote." When the vote is completely recorded, the President shall announce the result to the Senate; and the Secretary shall enter in the Journal the result. When the Senate is equally divided, the question shall be lost.

**5.2—Change of vote**

(1) After the result of the vote has been announced by the President, a Senator with unanimous consent of those Senators present may change his or her vote or vote on the matter except that no such change of vote or vote shall be valid where such vote would alter the final passage of the matter until the matter shall first have been recalled to the Senate for further consideration. Records of such requests shall be available at the Secretary's desk through the session. If no objections are raised before the close of the business that day, requests will be accepted.

(2) The original roll call shall not be altered, but late votes and change of votes shall be recorded under the original roll call in the Journal. On request of a Senator before considering other business, the President shall order a verification of a vote.

(3) A Senator who was not present for a daily session of the Senate or who was present but did not provide a vote record to the Secretary before

the close of business that day, may provide to the Secretary an indication of vote preference. This indication shall be included in a dedicated section of the next Journal published after the Secretary receives the indication. An indication of vote preference will not be accepted if the indication would have, if recorded, altered the vote.

**5.3—Casting vote for another**

No Senator shall cast a vote for another Senator unless the Senator is present in the Chamber area and requests the casting of said vote, nor shall a person not a Senator cast a vote for a Senator. In addition to such penalties as may be prescribed by law, a Senator who shall without such authorization vote or attempt to vote for another Senator may be punished as the Senate may deem proper. Also, a person not a Senator who shall vote in the place of a Senator shall be excluded from the Chamber for the remainder of the session.

**5.4—Pairing**

(1) Pairing, a type of absentee voting by which a Senator who is excused from attendance agrees with a Senator who would have voted opposite the excused Senator, shall be permitted.

(2) The Senator in attendance shall not vote in the electronic roll call.

(3) The pair vote form prescribed by the Secretary shall be used and shall:

- (a) State the matter to which the pair applies,
- (b) Indicate how both Senators would have voted,
- (c) Be filed with the Secretary and announced prior to the vote, and
- (d) Be recorded in the Journal.

**5.5—Explanation of vote**

No Senator shall be permitted to explain his or her vote during a roll call but may submit his or her explanation in writing and file it with the Secretary. This explanation shall be entered in the Journal.

**5.6—Election by ballot**

In all cases of ballot, a majority of the votes cast shall be necessary to an election. If, however, no one is elected on the first three (3) ballots, the names after the top two (2) in number of votes received on the third (3rd) tally shall be dropped, and the Senate shall ballot on the two (2) names remaining.

**RULE SIX****MOTIONS AND PRECEDENCE****6.1—Motions; how made, withdrawn**

Every motion may be made orally. On request of the President, a Senator shall submit his or her motion in writing. After a motion has been stated or read by the President, it shall be deemed to be in possession of the Senate and, without a second, shall be disposed of by vote of the Senate. The mover may withdraw a motion, except a motion to reconsider, as hereinafter provided, at any time before the same has been amended or before the vote shall have commenced.

**6.2—Motions; precedence**

(1) When a question is under debate, the President shall receive no motion except:

- (a) To adjourn
  1. Instantly
  2. At a time certain
- (b) To recess to a later day
- (c) Questions of privilege
- (d) To take a recess
- (e) To proceed to the consideration of executive business
- (f) To reconsider
- (g) To limit debate
- (h) To temporarily postpone
- (i) To postpone to a day certain
- (j) To commit to the Committee of the Whole
- (k) To commit to a standing committee

- (l) To commit to a select committee
- (m) To amend
- (n) To postpone indefinitely

which shall have precedence in the descending order given. A motion to discharge Senate conferees and to appoint or instruct said conferees as set forth in Rule 2.19 is a motion of the highest privilege and this motion shall have precedence over all other questions except motions to adjourn and questions of privilege.

(2) The President shall present all questions in the order in which they are moved unless the subsequent motion is previous in nature.

(3) When a motion is under consideration, but prior to the commencement of the vote, a substitute motion shall be in order. Only one (1) substitute shall be considered and the substitute shall be in the same order of precedence.

### 6.3—Division of question

A Senator may move for a division of a question when the sense will admit of it. A motion to delete and insert shall be deemed indivisible; a motion to delete, being lost, shall neither preclude amendment nor a motion to delete and insert.

### 6.4—Reconsideration generally

(1) When a main question (the vote on passage of a measure, including a vote on a veto message, confirmation of executive appointments, removal or suspension from office) has been decided by the Senate, a Senator voting with the prevailing side may move for reconsideration of the question on the same or the next legislative day on which the Senate meets.

- (a) If the question has been decided by voice vote, any Senator may so move.
- (b) When a majority of those Senators present vote in the affirmative on the question but the proposition be lost because it is one in which the concurrence of more than a majority of those Senators present is necessary for adoption or passage, any Senator may move for reconsideration.

(2) Such motion may be made prior to or pending a motion to recess to a later day or adjourn.

- (a) Consideration of a motion to reconsider shall be a special and continuing order of business for the Senate when it next meets on a legislative day succeeding that on which the motion was made and, unless considered on said day, shall be considered abandoned. If the Senate shall refuse to reconsider or, on reconsideration, shall confirm its first decision, no further motion to reconsider shall be in order except on unanimous consent of those Senators present.
- (b) During the last five (5) days of a regular session, a motion to reconsider shall be made and considered on the same day.

### 6.5—Reconsideration; vote required

The affirmative votes of a majority of those Senators present shall be required to adopt a motion to reconsider.

### 6.6—Reconsideration; debate

Debate shall be allowed on a motion to reconsider only when the question which it is proposed to reconsider is debatable. When the question is debatable, no Senator shall speak thereon more than once nor longer than five (5) minutes.

### 6.7—Reconsideration; collateral matters and procedural motions

A motion to reconsider a collateral matter must be disposed of during the course of the consideration of the main subject to which it is related, and such motion shall be out of order after the Senate has passed to other business. Reconsideration of a procedural motion shall be considered on the same day on which it is made.

### 6.8—Reconsideration; Secretary to hold for period

The Secretary shall hold all bills for the period after passage during which reconsideration may be moved. The adoption of any motion to waive the Rules by a two-thirds (2/3) vote of those Senators present and

immediately certify any bill to the House shall be construed as releasing the measure from the Secretary's possession for the period of reconsideration and shall, thereafter, preclude reconsideration. During the last five (5) calendar days allowed under the *State Constitution* for a regular session and during any extensions thereof, or during any special session, the bills shall be immediately transmitted to the House. Messages relating to Senate action on House amendments or to conference committee reports shall be transmitted forthwith.

### 6.9—Motion to indefinitely postpone

The adoption of a motion to indefinitely postpone a measure shall dispose of it for the duration of the legislative session and all extensions thereof. A motion to postpone consideration to a time beyond the last day allowed under the *State Constitution* for the current legislative session shall be construed as a motion to indefinitely postpone. Motions to indefinitely postpone shall not be applicable to collateral matters.

### 6.10—Committee substitute; withdrawn

Once a bill has been reported as a committee substitute, it may be withdrawn from further consideration only by motion of the introducer and unanimous consent of the Senate.

## RULE SEVEN

### AMENDMENTS

#### 7.1—General form; notice; manner of consideration

(1) No amendment to a bill on any Senate calendar shall be considered by the Senate unless the amendment was prepared in proper form and filed with the Secretary no later than 5:00 p.m. the day prior to the day that session was called to order. Copies of such amendments shall be made reasonably available by the Secretary before the session, upon request, to the Senators and to the public. The consideration of all amendments not timely filed in accordance with this rule, requires a two-thirds (2/3) vote of those Senators present.

(2) Amendments shall be filed with the Secretary on forms prescribed by the Secretary but shall be considered only after sponsors gain recognition from the President to move their adoption, except that the chair of the committee (or, in the chair's absence, the vice chair or any member thereof) reporting the measure under consideration shall have preference for the presentation of committee amendments. An amendment shall be deemed pending only after its sponsor has been recognized by the President and has moved its adoption. Amendments that have been filed with the Secretary but have not been formally moved for adoption shall not be deemed to be pending.

(3) No proposition on a subject different from that under consideration shall be admitted in the form of an amendment. The following bills are out of order and shall not be admitted or considered in the form of an amendment to a bill on the calendar and under consideration by the Senate:

- (a) Bills which have received an unfavorable committee report.
- (b) Bills which have been withdrawn from further consideration by the introducer.
- (c) Bills the substance of which have not been reported favorably by all committees of reference.
- (d) Bills which have not been published at least one (1) legislative day under Bills on Second Reading in the Senate calendar.

Amendments covered by this Rule shall be substantially the same and identical as to specific intent and purpose as the measure residing in the committee or committees of reference.

#### 7.2—Adoption

(1) On second (2nd) reading, amendments may be adopted by a majority vote of those Senators present.

(2) On third (3rd) reading, amendments and amendments to amendments, including substitute amendments and amendments to the substitute, shall be adopted by a two-thirds (2/3) vote of those Senators present. Amendments to the title or corrective amendments may be



decided, without debate, by a majority vote of those Senators present on third (3rd) reading.

### 7.3—Sequence of amendments to amendments

(1) An amendment to a pending amendment may be received, but until it is disposed of, no other motion to amend will be in order, except a substitute amendment or an amendment to the substitute. Such amendments are to be disposed of in the following order:

- (a) Amendments to the amendment are acted on before the substitute is taken up. Only one (1) amendment to the amendment is in order.
- (b) Amendments to the substitute are next voted on.
- (c) The substitute then is voted on.

(2) The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment to the bill itself.

(3) The following amendments are out of order:

- (a) A substitute amendment for an amendment to an amendment.
- (b) A substitute amendment for an amendment to a substitute.

### 7.4—Deleting everything after enacting clause

A proposal to delete everything after the enacting clause of a bill, or the resolving clause of a resolution, and insert new language of the same general subject as stated in the original title shall be deemed proper and germane and shall be treated as an amendment.

### 7.5—Amendment by section

The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill is being considered section by section or item by item, only amendments to the section or item under consideration shall be in order. The President, in recognizing Senators for the purpose of moving the adoption of amendments, shall endeavor to cause all amendments to section 1 to be considered first, then all those in section 2, and so on. After all sections have been considered separately, the entire bill shall be open for amendment.

### 7.6—Printing in Journal

All amendments taken up by the Senate unless withdrawn shall be printed in the Journal, except that an amendment to the general appropriations bill constituting an entirely new bill shall not be printed until the filing of the conference committee report. All item amendments to the general appropriations bill shall be printed.

### 7.7—Senate amendments to House bills

A House bill may be amended in the same manner as a Senate bill. If a House bill is amended, the same shall be noted by the Secretary on the jacket before it is transmitted to the House.

### 7.8—House amendments to Senate bills

(1) After the reading of a House amendment to a Senate bill, the Senate may:

- (a) Amend the House amendment,
- (b) Concur in the House amendment,
- (c) Refuse to concur in the House amendment and ask the House to recede, or
- (d) Request a conference committee.

(2) The adoption of any of the foregoing motions shall be by majority vote of those Senators present.

### 7.9—House refusal to concur in Senate amendment

(1) If the House shall refuse to concur in a Senate amendment to a House bill, the Senate may:

- (a) Recede,
- (b) Insist that the House concur and request a conference committee, or
- (c) Insist that the House concur.

(2) The adoption of any of the foregoing motions shall be by majority vote of those Senators present.

## RULE EIGHT

### DECORUM AND DEBATE

#### 8.1—Decorum and debate

When a Senator desires to speak or present a matter to the Senate, the Senator shall rise at his or her seat and address himself or herself to “Mr. or Madam President” and, on being recognized, may address the Senate from his or her desk or from the well of the Senate and shall confine any remarks to the question under debate, avoiding personality. A Senator shall not address or refer to another Senator by his or her first name. A Senator shall use the appellation of “Senator” or such appellation and the district number of the Senator being addressed, or a Senator may also use such appellation and the surname of the Senator referred to or addressed.

#### 8.2—Presiding officer’s power of recognition

When two (2) or more Senators rise at once, the presiding officer shall recognize the Senator who is to speak first.

#### 8.3—Interruptions; when allowed

(1) No Senator shall be interrupted by another without the consent of the Senator who has the floor, except by:

- (a) Rising to a question of privilege;
- (b) Rising to a point of order requiring an immediate ruling;
- (c) Rising to appeal a decision of the presiding officer concerning a point of order (if the appeal is made immediately following the decision);
- (d) Rising to make a parliamentary inquiry requiring an immediate reply; or
- (e) Rising to question the existence of a quorum.

(2) The presiding officer shall strictly enforce this Rule.

#### 8.4—Senator speaking, rights

(1) When a Senator is speaking and another Senator interrupts to request recognition, the presiding officer may permit the person rising to state why he or she desires the floor. If the question the Senator desires to raise is entitled to precedence, the Senator originally speaking shall relinquish the floor until the question having precedence is disposed of. The Senator then is entitled to resume the floor.

(2) The Senator making a debatable motion or the introducer of a bill shall have five (5) minutes in order to close debate.

#### 8.5—Limit on speaking

No Senator shall speak longer than thirty (30) minutes without yielding the floor, except by consent of a majority of those Senators present.

#### 8.6—Limitation on debate

When a matter is under debate by the Senate, a Senator may move to limit debate, and such motion shall be decided without debate, except the introducer of the matter shall have five (5) minutes to discuss said motion. If, by a two-thirds (2/3) vote of those Senators present, the question is decided in the affirmative, debate shall be limited accordingly.

#### 8.7—Points of order, parliamentary inquiry, definitions

A point of order is the parliamentary device that is used to require a deliberative body to observe its own rules and to follow established parliamentary practice. A parliamentary inquiry is the device for obtaining a predetermination of a rule or a clarification thereof and may be presented in hypothetical form.

**8.8—Questioning decision not to abstain**

A point of order questioning the decision of a Senator not to abstain from voting on account of a conflict of interest may be raised after the vote has been recorded and before the result is announced.

**8.9—Appeals**

Taking exception to a ruling of a presiding officer shall be by appeal. An appeal from a decision of the presiding officer must be made promptly before debate has concluded or other business has intervened. A point of order on any other question is not in order while an appeal is pending, but a point of order relating to the appeal may be raised; and, if the determination of the appeal is dependent on this point, it may be decided by the presiding officer. This second (2nd) decision is also subject to appeal.

**8.10—Appeals debatable**

An appeal from a decision of the presiding officer on a point of order is debatable even though the question from which it arose was not debatable.

**8.11—Questions of privilege**

- (1) Questions of privilege shall be:
  - (a) Those affecting the rights of the Senate collectively, its safety, dignity, and the integrity of its proceedings; and
  - (b) The rights, reputation, and conduct of Senators individually, in their representative capacity only.
- (2) These shall have precedence over all other questions except motions to recess to a later day or adjourn. A question of privilege affecting either house collectively takes precedence over a question of privilege affecting an individual Senator.

**RULE NINE****LOBBYING****9.1—Those required to register**

All persons (except those specifically exempted) who seek to encourage the passage, defeat, or modification of legislation in the Senate or before its committees shall, before engaging in such activity, register as prescribed by law and the Joint Rules of the Florida Legislature.

**9.2—Obligations of lobbyist**

- (1) A lobbyist shall supply facts, information, and opinions of principals to legislators from the point of view from which he or she openly declares. A lobbyist shall not offer or propose anything to improperly influence the official act, decision, or vote of a legislator.
- (2) A lobbyist, by personal example and admonition to colleagues, shall uphold the honor of the legislative process by the integrity of his or her relationship with legislators.
- (3) A lobbyist shall not knowingly and willfully falsify a material fact or make any false, fictitious, or fraudulent statement or representation or make or use any writing or document knowing the same contains any false, fictitious, or fraudulent statements or entry.

**9.3—Lobbyists' requirements**

A lobbyist shall adhere to the statutory requirements for lobbyists provided by law and the Joint Rules.

**9.35—Contributions during sessions**

During a regular legislative session, and during an extended or special session as further provided for in Rule 1.361(2), a lobbyist may not directly or indirectly contribute to a Senator's own campaign, or to any organization that is registered, or should have been registered, with the Rules Committee pursuant to Rule 1.361(3).

**9.4—Advisory opinions**

(1) A lobbyist, when in doubt about the applicability and interpretation of Rule Nine (9) in a particular context, may submit in writing a statement of the facts involved to the Rules Committee and may appear in person before said committee.

(2) The Rules Committee may render advisory opinions to any lobbyist who seeks advice as to whether or not the facts in a particular case will constitute a violation of these Rules. All opinions shall delete names and be numbered, dated, and published in the Journal.

**9.5—Compilation of opinions**

The Secretary shall keep a compilation of all advisory opinions of the Rules Committee.

**9.6—Violations; investigations, penalties**

(1) Any person may file a sworn complaint with the Rules Chair alleging a violation of the Rules regulating the conduct and ethics of lobbyists. The complaint shall be based on personal knowledge, shall state detailed facts, shall specify the actions of the named lobbyist which form the basis for the complaint, and shall identify the specific Rule(s) alleged by the complainant to have been violated by the lobbyist. Upon a determination by the Rules Chair that the complaint states facts supporting a finding of probable cause, the complaint shall be referred to a special master. Upon a determination by the chair that the complaint fails to state facts supporting a finding of probable cause, the complaint shall be dismissed. The special master shall conduct an investigation, shall give reasonable notice to the lobbyist who is alleged to have violated the Rules and shall grant the lobbyist an opportunity to be heard unless the investigation fails to reveal facts supporting a finding of probable cause. A special master's report and recommendation is advisory only and shall be presented to the chair as soon as practicable after the close of the investigation. If the special master's report and recommendation conclude that the facts do not support a finding of probable cause, the complaint shall be dismissed by the Rules Chair. If the complaint is not dismissed, the Rules Committee shall consider the special master's report and recommendation, shall grant the lobbyist an opportunity to be heard, and shall develop its own recommendation. If the Rules Committee votes to dismiss the complaint, the Rules Chair shall dismiss the complaint. Otherwise, the special master's report and recommendation and the recommendation of the Rules Committee shall be presented to the President. The President shall present the committee's recommendation, along with the special master's report and recommendation, to the Senate for final action.

(2) Separately from any prosecutions or penalties otherwise provided by law, any person determined to have violated the requirements of this Rule shall be censured, reprimanded, placed on probation, or prohibited from lobbying for the duration of the session and from appearing before any Senate committee. Such determination shall be made by a majority vote of the Senate, on recommendation of the Rules Committee.

**9.7—Committees to be diligent**

Committees shall be diligent to ascertain whether those who appear before them, in other than an obviously individual capacity, have conformed with the requirements of Rule Nine (9), the Joint Rules, and the *Laws of Florida*, and shall report violations. No committee member shall knowingly permit an unregistered lobbyist to be heard.

**9.8—Lobbyist expenditures and compensation**

Chapter 2005-359, *Laws of Florida*, amends existing provisions of the law relating to legislative lobbying at the state level in Florida and adds new and substantial obligations, prohibitions, and requirements.

This Rule provides assistance to persons seeking to comply with the letter and spirit of the new law as it applies in the legislative context by refining the law and providing Interim Lobbying Guidelines and answers to 25 Frequently Asked Questions. It also is intended to provide guidance to the legislative committees that will participate in enforcing the new law.

Part One of the Guidelines refines and applies the new prohibition, with ten clearly stated exceptions, so that Senators and Senate em-

ployees can no longer directly or indirectly take any “expenditure” from a lobbyist or principal in either the public or private sector.

Part Two of the Guidelines refines and applies the underlying core requirement that “lobbying firms” must publicly disclose the compensation they receive for lobbying activities, and does so in a way that is narrowly tailored, furthers the state’s compelling governmental interest in regulating legislative lobbying at the state level, and employs the least intrusive means available to do so.

This Rule sets out general principles. Outcomes depend heavily on underlying fact patterns that can vary greatly from case to case. Full disclosure of the operative facts must be provided and considered before a proper and correct answer can be derived.

A Senator may request an informal advisory opinion from the Senate General Counsel regarding the application of the new law and this Rule to a specific situation, on which the legislator may reasonably rely.

The houses of the Legislature are responsible for the administration and enforcement of the legislative lobbying portions of the new law. The legislative lobbying expenditure prohibitions are not part of the Florida Code of Ethics for Public Officers and Employees. Neither the Florida Commission on Ethics nor the Florida courts have jurisdiction to interpret these internal matters of the Legislature.

### Part One—Expenditures

#### (1) General Guidelines

##### a) The Expenditure Prohibition

The new law contains a prohibition against lobbyists and principals making direct or *indirect* lobbying expenditures for legislators and legislative employees. It provides:

[N]o lobbyist or principal shall make, directly or indirectly, and no member or employee of the Legislature shall knowingly accept, directly or indirectly, any *expenditure*.... (emphasis added).

The new expenditure prohibition applies only to expenditures made by lobbyists and principals. It applies whether or not the lobbyist, principal, legislator, or legislative employee is in Florida. Florida’s gift law, section 112.3148, *Florida Statutes*, continues to apply to gifts to legislators and legislative employees from others.

**Example:** A legislator may accept a subscription to a newspaper or periodical that is neither published by, nor paid for, nor provided by a lobbyist or a principal.

**Example:** A legislator may not accept a free health screening or other personal service provided on behalf of an association that is a principal.

**Example:** A legislator may, as either a member or an invited guest, participate in meetings of, and partake of the food and beverage provided by a civic organization if the organization is not a principal.

The practical effect of this law is to prohibit expenditures for attempting to obtain the goodwill of a member or employee of the Legislature, and it is not designed to prohibit expenditures made in attempting to influence legislative action or non-action through oral or written communication.

##### b) Definitions

“*Expenditure*” is defined, essentially, as anything of value made by a lobbyist or principal *for the purpose of lobbying*.

“*Lobbying*,” in turn, means: (1) influencing or attempting to influence legislative action through oral or written communication (“active lobbying”); or, (2) attempting to obtain the *goodwill* of a member or employee of the Legislature (“goodwill”).

“*Goodwill expenditure*” is a gift, an entertainment, any food or beverage, lodging, travel, or any other item or service of personal benefit to a legislator or legislative employee.

Goodwill expenditures include contributions or donations from a lobbyist or a principal to a charitable organization that is, directly or in-

directly, established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof.

A “*lobbyist*” is a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity.

“*Personal benefit*” means a profit or gain pertaining to, directed toward, or affecting a person.

A “*principal*” means the person, firm, corporation, or other entity that has employed or retained a lobbyist. When an association has employed or retained a lobbyist, the association is the principal; *the individual members of the association are not principals merely because of their membership in the association*.

##### c) Honorarium-related Expenses

It is no longer permissible to accept from a lobbyist or principal, directly or indirectly, payment or reimbursement of expenses for travel, food, lodging, or beverage, related to speaking engagements or other honorarium-type events.

##### d) Indirect Expenditures

An indirect expenditure is an expenditure that is not made directly to a legislator or legislative employee, but is made to another with the purpose that the expenditure be used for the personal benefit of a legislator or legislative employee.

The new expenditure prohibition *expressly* prohibits any lobbyist or principal from directing prohibited lobbying expenditures through a surrogate or through any person who by his or her actions or activities is obligated to register as a lobbyist but has failed to do so. Third party intermediaries, such as employees, members of associations and others, cannot be used to make prohibited expenditures.

Where an item or service (anything of value) is provided to a person *other* than a legislator or legislative employee by a lobbyist or principal and the item or service or the benefit attributable to the item or service ultimately is received by the legislator or employee, and where the item or service is provided with the intent to benefit the legislator or employee, such item or service constitutes a prohibited indirect expenditure to the legislator or employee.

Factors to be considered in determining whether a prohibited indirect expenditure has been made are set out on the following page in the joint functionality test:

#### TEST FOR DETERMINING LEGALITY OF AN INDIRECT EXPENDITURE

(1) The existence or nonexistence of communications by the lobbyist or principal indicating the lobbyist’s or principal’s intent to make or convey the item or service, or a personal benefit attributable to the item or service, to a legislator or employee rather than to the intervening third person;

(2) The existence or nonexistence of communications by the intervening third person indicating the intent to make or convey the lobbyist’s or principal’s item or service, or a personal benefit attributable to the item or service, to a legislator or employee rather than to the third person;

(3) The existence or nonexistence of any relationship between the lobbyist or principal and the third person, independent of the relationship between the lobbyist or principal and a legislator or employee, that would motivate the transfer to the third person;

(4) The existence or nonexistence of any relationship between the third person and a legislator or employee that would motivate the transfer;

(5) Whether the same or similar items or services have been or are being provided to other persons having the same relationship to the lobbyist or principal as the third person;

(6) Whether, under the circumstances, the third person had full and independent decision-making authority to determine whether a legislator or employee, or another, would receive the items or services, or a personal benefit attributable to the items or services;

(7) Whether the third person was acting with the knowledge or consent of, or under the direction of, the lobbyist or principal;

(8) Whether there were payments or the intention for any payments or bookkeeping transactions between the third person and the lobbyist or principal, reimbursing the third person for the items or services;

(9) The degree of ownership or control the lobbyist or principal had over the third person; and

(10) Whether a lobbyist or principal knew, or should have known, that an item or service provided to a third-party would be used to provide a personal benefit to a legislator or employee, such as for the funding of a legislative reception or an event to be attended by legislators or employees.

The following examples illustrate some of the applications of the foregoing indirect expenditure criteria:

**Example 1:** A law firm which lobbies the Legislature invites all of its attorneys to attend a weekend retreat. The attorneys are encouraged to bring their spouses or significant others at the firm's expense. Legislator C is married to an attorney in the firm and has been asked by her spouse to attend the retreat. The lodging provided to Legislator C for the retreat, food and drink, firm t-shirts, and the like would be considered a gift to her from her spouse and thus not a prohibited indirect expenditure, because the firm's invitation was extended to Legislator C's spouse by virtue of his employment with the firm.

**Example 2:** Legislator D hosts a fox hunt attended by legislators and lobbyists. Lobbyists give money to a third person, who is not a legislator or a legislative employee, to pay for the food and beverages which will be served at the fox hunt. The third party orders and prepares the food and beverages. The money provided to the third person by the lobbyists would be a prohibited indirect expenditure to Legislator D because it was given with the intent of benefiting him and his guests at the fox hunt.

**Example 3:** Legislator N and spouse have arranged to take a vacation trip together. A legislative lobbyist meets with Legislator N's spouse and offers to pay for the spouse's travel expenses. The lobbyist and Legislator N's spouse know each other only through the lobbyist's involvement with the legislator. This would constitute a prohibited indirect expenditure to Legislator N under the new law.

e) Equal or Greater Compensation

An expenditure is not prohibited when equal or greater value is given contemporaneously by the recipient to the donor.

Therefore, it is not an expenditure if:

1. The fair market value of the event, meeting, or other activity, including any food, beverage, transportation, lodging, or any other thing of value, can readily be determined, and

2. The legislator or legislative employee pays his or her pro rata share of the total fair market value to the person or organization hosting the event contemporaneously with the time of attending or participating in the event.

Thus, if a lobbyist or principal provides \$35 worth of goods or services to a legislator or legislative employee but the legislator or legislative employee *contemporaneously* provides *equal or greater consideration*, the lobbyist or principal has not provided *anything of value*, thus, there is no "expenditure."

f) Valuation

The law is silent as to the *valuation* of goods and services. *Fair market value* is the proper and applicable standard of valuation.

The retail price of an item or service is presumed to be its fair market value so long as it is reasonable in relation to the value of the item or service and the amount is not subsidized by a lobbyist or principal.

In valuing an expenditure, you may exclude the amount of additional expenses that are regularly required as a condition precedent to the donor's eligibility to make the expenditure if the amount expended for the condition precedent is primarily intended to be for a purpose other than lobbying, and is either primarily for the benefit of the donor or is paid to a charitable organization. Initiation fees and membership fees are examples of additional expenses that are regularly required as conditions precedent for eligibility to make an expenditure. Transportation expenses incurred to bring a member to an out-of-town event are not.

Entrance fees, admission fees, or tickets are normally valued on the face value or on a daily or per event basis. The portion of a ticket attributable to a charitable contribution is not included in the value. Conversely, if the ticket is subsidized by contributions of lobbyists or principals, the pro rata subsidized amount must be attributed to the face value.

A person providing transportation in a private automobile shall be considered to be making an expenditure at the then-current statutory reimbursement rate, which is currently 29 cents per mile. The value of transportation provided in other private conveyances must be calculated on its fair market value.

g) Exceptions

1. Relatives

A relative is an individual who is related to the member or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, or step great grandchild; any person who is engaged to be married to the member or employee or who otherwise holds himself or herself out as or is generally known as the person whom the member or employee intends to marry or with whom the member or employee intends to form a household; or any other natural person having the same legal residence as the member or employee.

This definition of "relative" is taken from former Joint Rule 1.4(4)(b), and has operated historically as an exception to the presumption that things of value given to a legislator or employee by a lobbyist or principal are intended for the purpose of engendering goodwill.

**Example:** A legislator is permitted to accept a Christmas gift from an aunt, even if she is a lobbyist. The gift is not deemed an expenditure made for the purpose of lobbying because of the family relationship between the donor and the donee.

2. Employment-related Compensation and Benefits

Salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with the recipient's employment, business, or service as an officer or director of a corporation or organization are not prohibited expenditures so long as they are given in an amount commensurate with other similarly situated employees, officers, or directors.

These sorts of expenditures are currently also excepted from the definition of a gift in section 112.312(12)(b), *Florida Statutes*, and are a necessary exception in order for many legislators to continue their employment or continue their service on boards and continue to serve in Florida's citizen Legislature.

**Example:** A legislator who is on the board of directors of an organization that has a lobbyist is nevertheless permitted to partake of food and beverage provided to the board members by the organization at its board meetings.

3. Political Organizations and Entities

An expenditure does not include contributions or expenditures reported pursuant to chapter 106, *Florida Statutes*, or its federal law counterpart; campaign-related personal services provided without com-

pensation by individuals volunteering their time; any other contribution or expenditure made by a chapter 106 entity such as a candidate campaign, political committee, organization making electioneering communications, political party, or committee of continuous existence; or an entity qualified under section 501(c)(4) or section 527 of the Internal Revenue Code.

Members are cautioned that these organizations or entities may not be used as a vehicle for skirting the new lobbying expenditure law. To the extent that funds come from lobbyists or principals, one should exercise great care that the expenditures are legal and appropriate for that particular organization or entity.

#### 4. Communications Expenses

The expenditure prohibitions in the new law do not reach expenditures made by a lobbyist or principal for items such as “media advertising,” “publications,” “communications,” and “research.”

Expenditures for researching, gathering, collating, organizing, providing, or disseminating information for the *exclusive* purpose of “active lobbying” (influencing or attempting to influence legislative action through oral or written communication) are necessary for Floridians to be able to “instruct their representatives.”

#### 5. Office and Personal Expenses of Lobbyists and Principals

“Office expenses” and personal expenses of the lobbyist or principal for “travel,” “lodging,” and “food and beverages” as those items were defined in former Joint Rule 1.4(4)(c) are exempt from the prohibition on lobbying expenditures. This category does not include any expenses for legislators, legislative employees, or persons whose expenses would be attributed to them.

#### 6. Government to Government Expenditures

Real property or a facility owned or operated by a state or local public agency or entity that is a lobbying principal and transportation to, from, and at the location provided by that agency or entity may, with the prior approval of the respective state legislative presiding officer or his or her designee, be used without payment, by a member, committee, or staff of the Legislature for a public legislative purpose. Such purposes include publicly noticed legislative committee meetings and site visits to operations conducted by the public agency or entity. Allowable free uses also specifically include legislative district offices and sub-offices and the normally attendant utilities, parking, janitorial services, building maintenance, and telecommunications equipment and services common to a government building in which the office is located. Allowable free use does not extend to sports or entertainment venues; does not include food, beverages, or entertainment; and does not include free parking privileges at any location other than a district office or sub-office.

#### 7. Free and Open Public Events

Expenditures directly associated with events that are held within the Capitol complex, out-of-doors or under temporary shelter, open to the general public, widely and publicly noticed, free to all, not ticketed, and for which equal and totally unobstructed access to the general public is provided, are not prohibited expenditures made by lobbyists or principals, or when accepted by legislators or legislative employees.

**Example:** Atlas County, Florida, is holding Atlas Day in the plaza between the Capitol and the Historic Capitol. Lunch is served to all comers. The event was widely publicized and access to the event and the food and beverage is totally unobstructed. Legislators may partake as well.

#### 8. Regional and National Legislative Organizations

The prohibition does not apply to expenditures made directly or indirectly by a state, regional, or national organization that promotes the exchange of ideas between, or the professional development of, governmental officials or employees, and whose membership is primarily composed of elected or appointed public officials or staff to members of that organization or to officials or staff of the Legislature. This exception does not include extracurricular activities, entertainments, or items or services provided at conferences that are paid for or provided by a lobbyist or principal.

#### 9. Monetary Value Impossible to Ascertain

The value of some items is *truly impossible* to quantify at the time of the expenditure. Expenditures for which a monetary value is not ascertainable at the time of the expenditure are not prohibited. Examples are: appearing on a news show or having a feature article about a legislator in a trade magazine or other medium, applause received by a legislator at an event, obtaining priority seating in a crowded restaurant or priority for obtaining services where there is an established queue, or the pro-rata portion of a host’s monthly or annual membership in an exclusive supper club.

#### 10. Plaques and Certificates

The prohibition does not apply to personalized wall plaques, personalized photographs, or personalized certificates that have no substantial inherent value other than recognizing the donee’s public, civic, charitable, or professional service.

#### h) Effect of Other Laws and Rules

To the extent that an expenditure is excluded or exempt from the new lobbying prohibition in section 11.045, *Florida Statutes*, it is still subject to the restrictions and requirements in other statutes: most notably, the gift law (section 112.3148, *Florida Statutes*) and the campaign finance law (chapter 106, *Florida Statutes*).

### (2) Frequently Asked Questions

#### LEGISLATIVE EVENTS/RECEPTIONS

1. *Question: Can a county legislative delegation or delegation office sponsor an annual event in Tallahassee on public grounds or in quarters belonging to either the Senate or the House of Representatives (i.e., “Flavors of Hillsborough”)?*

**ANSWER:** A county legislative delegation may host an annual event in Tallahassee provided that no free food, beverages, or other personal benefits to a legislator or legislative employee are paid for or provided by a lobbyist or principal, either directly or indirectly.

Legislators and legislative staff may pay an amount established and published by the delegation as the per-person cost of the event, or they may “pop in” and not partake of any food, beverage, or other personal benefit at the event. Alternatively, the delegation may make the event a free, open public event as described in Paragraph 1.g)7. above.

2. *Question: Can a legislator or legislative employee go up to the 22nd floor of the Capitol and partake of free food and drink provided by an organization hosting a luncheon or event at the Capitol?*

**ANSWER:** It depends. Yes, provided the organization hosting the event is not a principal and none of the food and beverages are paid for or provided by a lobbyist or principal. Otherwise, the legislator or legislative employee could attend the event but could not partake of the free food or beverages or they can pay the fair market value of what they consume.

3. *Question: Can “legislative days” that provide food, beverages, entertainment, and other personal benefits to legislators or legislative employees during the session and are hosted by counties, cities, universities, and others that employ a lobbyist continue?*

**ANSWER:** “Legislative days” and other legislative events funded by lobbyist or principal dollars may continue provided no free food, drink, entertainment, or other personal benefit is provided to a legislator or legislative employee, either directly or indirectly. Any such benefit would be a prohibited goodwill expenditure.

Legislators and legislative staff may pay an amount established and published by the sponsor as the per-person cost of the event, or they may “pop in” and not partake of any food, beverage, or other personal benefit at the event. Alternatively, the sponsor may make the event a free, open public event as described in Paragraph 1.g)7. above.

4. *Question: Can a not-for-profit organization host receptions and events for legislators that provide food, beverages, entertainment, and other personal benefits to legislators or legislative employees through*

contributions solicited from lobbyists or principals who sponsor the reception or event?

**ANSWER:** The charity may host a reception or event for legislators and legislative employees *provided* that no free food, beverages, entertainment, or other personal benefit is provided to a legislator or legislative employee from the funds of lobbyists or principals.

Legislators and legislative employees may pay an amount established and published by the sponsor as the per-person cost of the event, or they may “pop in” and not partake of any food, beverage, or other personal benefit at the event. Alternatively, the sponsor may make the event a free, open public event as described in Paragraph 1.g)7. above.

5. *Question: Can a lobbyist or principal host an event with food, beverages, entertainment, or other personal benefit for legislators or legislative employees and collect from each legislator or legislative employee, a flat, per-person entrance fee based on the total cost to plan, produce, stage, and clean up after the event, divided by the number of persons reasonably expected to attend?*

**ANSWER:** Yes.

6. *Question: Each year, a few associations host legislative receptions/BBQs and invite their members as well as legislators. They usually pass out campaign funds at these events to those who support their industry. Would it now be legal to host this event if it were called a “fundraiser”? Could legislators then accept free food and beverages at the event?*

**ANSWER:** Senate Rule 1.361 precludes a senator, and House Rule 15.3 precludes a representative, from accepting a campaign contribution during a regular or special session, in addition to prohibiting them from accepting contributions on behalf of a section 527 or section 501(c)(4) organization, a political committee, a committee of continuous existence, a political party, or the campaign of any other senatorial candidate or candidate for representative, respectively. Thus, any fundraiser held during a regular or special session would violate the rules of each house.

Fundraisers not held during a regular or special session are outside the purview of the expenditure prohibitions in the new law. A goodwill lobbying expenditure does not include contributions or expenditures reported pursuant to chapter 106, *Florida Statutes*. However, if the facts and circumstances demonstrate that calling the event a “fundraiser” is merely an artifice for lobbyists or principals to provide free gifts, food, beverages, and other items or services of personal benefit to a legislator, not associated with influencing the results of an election, then the fundraiser would violate the expenditure prohibition of the new law. Note, also, that fundraisers remain subject to the contribution restrictions and requirements of Florida’s campaign finance law (chapter 106, *Florida Statutes*).

#### HONORARIA EXPENSES

7. *Question: Can a lobbyist or principal continue to pay or reimburse a legislator’s or legislative employee’s expenses for such items as food and beverages, travel, and lodging associated with an honorarium event?*

**ANSWER:** No.

#### GIFTS TO LEGISLATORS

8. *Question: Can a school child give a legislator a painting that he or she has made?*

**ANSWER:** Yes. The prohibition against lobbying expenditures only applies to lobbyists and principals, and those acting on their behalf.

9. *Question: Can a school student whose parent is a lobbyist or principal give a scarf that was purchased by the child’s parent to a legislator as a gift?*

**ANSWER:** It depends. The lobbying expenditure prohibition applies to all gifts from lobbyists or principals to legislators, directly or *indirectly*. A lobbyist or principal cannot use a third-party intermediary to circumvent the lobbying expenditure prohibition. Thus, if the facts and circumstances demonstrate that the scarf is an indirect gift from the lobbyist or principal to the legislator, it would be prohibited.

10. *Question: Can a legislator accept rent-free office space and associated building services from a city, county, or community college in his or her district that employs or retains a lobbyist?*

**ANSWER:** Yes. See Paragraph 1.g)6. above for explanation and limitations.

11. *Question: Can a legislator or legislative staff accept transportation services from another governmental entity?*

**ANSWER:** Yes. See Paragraph 1.g)6. above for explanation and limitations.

12. *Question: Are there any value limitations on the exceptions in the new law for “floral arrangements or other celebratory items given to legislators and displayed in chambers on the opening day of a regular session”?*

**ANSWER:** Yes. All opening day flowers and floral arrangements are subject to the limitations and requirements of the gift law (section 112.3148, *Florida Statutes*). No other celebratory items will be allowed in either chamber on opening day of the regular session.

#### FOOD AND BEVERAGES/GIFTS

13. *Question: Can a legislator or legislative employee and his or her spouse have dinner with a lobbyist friend the legislator or legislative employee has known for 30 years at the lobbyist’s home, whether or not active lobbying occurs?*

**ANSWER:** Yes, *provided* the legislator or legislative employee contemporaneously provides the lobbyist with the pro rata share of the total fair market value of the cost of the food and beverages provided to the legislator or legislative employee and his or her spouse, either in cash or barter (i.e., bottle of wine, flowers). Otherwise, the expenditure for food and beverages would constitute a prohibited goodwill expenditure, irrespective of the extent of the legislator’s and lobbyist’s friendship.

14. *Question: Can a lobbyist or principal and legislator or legislative employee have dinner at a public restaurant?*

**ANSWER:** Yes, *provided* the dinner is “Dutch treat.”

15. *Question: Can a lobbyist or principal and a legislator or legislative employee have dinner “Dutch treat” at the Governor’s Club?*

**ANSWER:** Yes, *provided* the legislator or legislative employee pays the total cost of all food and beverage that he or she was served or consumed, or that was served to or consumed by a person whose expenditures are attributed to the legislator or legislative employee.

16. *Question: Can a lobbyist’s business partner, employee, spouse, or child, who is not a registered lobbyist, accompany the lobbyist and legislator or legislative employee to dinner and pay for all the food and beverages if the partner, employee, spouse, or child does not actively lobby?*

**ANSWER:** No. The lobbying expenditure prohibition applies to all food and beverages provided by lobbyists or principals to legislators or legislative employees, directly or *indirectly*. A lobbyist or principal cannot utilize a third-party intermediary to channel gifts to legislators to circumvent the lobbying expenditure prohibition.

17. *Question: If someone offers a legislator or legislative employee a drink at a bar, or any other gift or personal benefit, does the legislator or legislative employee have a duty to inquire if the donor is a lobbyist or principal?*

**ANSWER:** Yes. A legislator or legislative employee is liable for *knowingly* accepting an expenditure from a lobbyist or principal, or someone acting on behalf of a lobbyist or principal. “Knowingly” has many statutory definitions, including that a person: (1) has *actual knowledge* of the information; (2) acts in *deliberate ignorance* of the truth or falsity of the information; or, (3) acts in *reckless disregard* of the truth or falsity of the information. Therefore, prudence dictates that the legislator or legislative employee, at a minimum, make *reasonable inquiry* as to the source of the proposed expenditure to determine whether it is

prohibited. *Reasonableness* will turn on the facts and circumstances of each individual situation.

For example, a legislator receiving an invitation to an event to be held the next week, from an organization he or she is not familiar with would likely require that the legislator, *at a minimum*, consult the online directory of legislative principals and lobbyists, and perhaps make further inquiry if facts or circumstances come to light indicating that the organization might be making the expenditure on behalf of a lobbyist or principal. Similarly, a legislator offered a drink from someone he or she doesn't know in a Tallahassee bar or restaurant generally known to be frequented by lobbyists would probably be required, *at a minimum*, to ask whether the person is a lobbyist or principal or affiliated with a lobbyist or principal. On the other hand, a Miami legislator on personal holiday with his or her spouse at Busch Gardens in Tampa, who strikes up a friendship with a couple they don't know visiting from Colorado and who subsequently offers to pay for the legislator's and spouse's dinner probably has less of a duty to inquire whether either member of the couple is a Florida lobbyist or principal.

#### CHARITIES

18. *Question: Can a legislator or legislative employee raise funds from lobbyists or principals for charitable causes?*

**ANSWER:** Yes, *provided* the charity for which funds are sought is not directly or indirectly established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof. Otherwise, such a contribution or donation would constitute a prohibited goodwill expenditure.

19. *Question: Can a legislator or legislative employee establish or operate a charitable foundation that relies on lobbyist or principal support?*

**ANSWER:** No. A legislator or legislative employee may establish or operate a charitable organization but none of the money contributed or donated to the charity may be from lobbyists or principals. Such a contribution or donation would constitute a prohibited goodwill expenditure.

20. *Question: Can a legislator or legislative employee sit on the board of a charitable organization that is not established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof? Can he or she accept free food and beverages provided by the charity and be reimbursed by the charity for expenses associated with the work of the charity (i.e., travel, lodging)?*

**ANSWER:** Yes. A legislator or legislative employee may sit on the board of a charitable organization that receives donations and contributions from lobbyists, and may partake of free food, beverages, and other personal benefits provided by the charity to board members in connection with their service, including reimbursement of personal expenses incurred by board members in furtherance of the charity's work. A goodwill expenditure does not include salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with a legislator's or legislative employee's employment, business, or service as an officer or director of a corporation or organization. *However*, any such salary, benefit, services, fees, commissions, gifts, or expenses cannot be from funds earmarked by lobbyists or principals to the charity for such purpose and must be received only for the legislator's or legislative employee's service as a member of the board.

21. *Question: Can a legislative caucus that is established as a nonprofit group raise funds from lobbyists for its charitable causes?*

**ANSWER:** It depends. If the legislative caucus or the nonprofit group is directly or indirectly established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof, then the answer is no.

If the legislative caucus or the nonprofit group is not directly or indirectly established by, organized by, or operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof, then the answer is yes.

22. *Question: Can a legislative caucus that is established as a nonprofit group host its own charity golf tournament funded by lobbyist or principal "sponsors" at a private club, where the cost of sponsorship buys an opportunity to play golf with a member of the caucus, and to make a presentation to the caucus before and after the event?*

**ANSWER:** Yes, provided the legislative caucus or the nonprofit group is not directly or indirectly established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof, and the legislators and legislative employees pay their own golf fees and the per-person cost for food and beverage.

#### OTHER

23. *Question: What happens when a legislator is married to, related to, or living with a lobbyist? Can the lobbyist pay for meals, lodging, etc.?*

**ANSWER:** Yes, *provided* the lobbyist does not use the expenditure to actively lobby the legislator. Expenditures by "relatives" of a legislator for food, lodging, travel, and the like are specifically exempt from the definition of a goodwill expenditure.

24. *Question: Can a legislator be employed by a lobbyist or principal? Can a legislator go to the employer's retreat and partake of food and beverages?*

**ANSWER:** Yes. A goodwill expenditure does not include salary, benefits, services, fees, commissions, gifts, or expenses *associated primarily with a legislator's or legislative employee's employment*, business, or service as an officer or director of a corporation or organization.

25. *Question: Where a lobbyist or principal leaves a gift, such as a box of chocolates, in a legislator's office, what should the legislator do with the item?*

**ANSWER:** When a legislator or legislative employee receives an item that they believe violates the prohibition against accepting an expenditure from a lobbyist or principal, the item must either be sent back to the donor or delivered to the Sergeant at Arms for disposal.

### Part Two—Compensation

#### (1) General Guidelines

Chapter 2005-359, *Laws of Florida*, for the first time, requires the reporting of *compensation* received by *lobbying firms* for each calendar quarter, both in the aggregate and for each individual principal. Much of the reporting is done in dollar categories; however, if compensation from a single principal is \$50,000 or more in a calendar quarter, the lobbying firm must report the specific dollar amount of the compensation, rounded to the nearest \$1,000.

A "lobbying firm" is any business entity with a lobbyist, or an individual contract lobbyist, who gets paid to lobby for a principal. It is the lobbying firm that must report, *not the individual lobbyists in the firm* (except in the case of an individual contract lobbyist, where the lobbyist also comprises the entire lobbying firm).

Reports are due no later than 45 days after the end of each calendar quarter. Compensation reports must be filed electronically using the online filing system of the Office of Legislative Services.

The new law requires the senior partner, officer, or owner of the lobbying firm to certify to the veracity and completeness of each compensation report. This requirement is designed to discourage the mischaracterization and thus omission of reportable compensation through designations such as "media fees," "consulting services," "professional services," "governmental services," and other such artifices.

For example, if a law firm were paid a lump sum for rendering multiple types of services to a client, only one of which is lobbying, then the person certifying the report is responsible for properly and reasonably allocating the portion of the total fee received for lobbying activities and for activities other than lobbying. Only the compensation received for *lobbying* activities is to be reported on the compensation form.

The Legislature will use random audits supplemented by the lobbyist disciplinary process to hold the person certifying the compensation re-

port and the lobbying firm accountable for making a true, complete, properly-allocated report as required by law. In addition, the certification brings every compensation report filer within the scope of potential criminal penalties in section 837.06, *Florida Statutes*, for culpable violations.

## (2) Frequently Asked Questions

1. *Question: Is an in-house, salaried lobbyist for an association, a governmental entity, or a corporation that does not derive income from principals for lobbying required to report compensation?*

**ANSWER:** No. An association, a governmental entity, a corporation or other business entity that does not derive income from principals for lobbying, and its employee lobbyists, are not a “lobbying firm” as defined in section 11.045(1)(g), *Florida Statutes*. Only “lobbying firms” must report compensation as provided in section 11.045(3)(a), *Florida Statutes*.

2. *Question: Does the prohibition against providing compensation to an individual or business entity that is not a lobbying firm mean that in-house lobbyists must either become a lobbying firm or cease lobbying?*

**ANSWER:** No. The provision in question merely clarifies that reportable “compensation” under the law must be provided to a “lobbying firm,” and not contracted or subcontracted through some “straw man” to circumvent compensation reporting requirements. The provision in question clarifies and emphasizes the statutory definition of “compensation” in section 11.045(1)(b), *Florida Statutes*, as “anything of value provided or owed to a lobbying firm.”

## RULE TEN

### CHAMBER OF THE SENATE

#### 10.1—Persons entitled to admission

No person shall be admitted to the main floor of the Senate Chamber while the Senate is in session except present members of the Senate, all officers and employees of the Senate in the performance of their duties, and persons charged with messages or papers to the Senate. Also entitled to admission are the Governor or one (1) representative designated by the Governor, the Lieutenant Governor, Cabinet officers, former Governors, present and former United States Senators, present and former members of the House of Representatives of the United States and of this State, Justices of the Supreme Court, former State Senators of Florida, and persons by invitation of the President. A special section of the gallery shall be reserved for members of the families of Senators.

#### 10.2—Exception

Except at the discretion of the President, no person entitled to admission shall be admitted if registered pursuant to Rule Nine (9). No person admitted under this rule shall engage in any lobbying activity for or against any measure under consideration in the Senate.

#### 10.3—Admission of press by President

Members of the press and of radio and television stations, in performance of their duties, shall be assigned to a press section specifically set aside for them, and shall not be allowed on the Senate floor while the Senate is in session, except with the approval of the President.

#### 10.4—Attire

All persons on the main floor of the Senate Chamber and in the gallery (with the exception of visitors in that portion of the gallery set aside for the general public) shall wear appropriate business attire at all times while the Senate is in session.

#### 10.5—Gallery

No food or beverages shall be allowed in the gallery at any time.

## RULE ELEVEN

### CONSTRUCTION AND WAIVER OF RULES

#### 11.1—Interpretation of Rules

It shall be the duty of the President, or the presiding officer for the time being, to interpret all Rules. Motions for the previous question and to lay on the table shall not be entertained.

#### 11.2—Waiver and suspension of Rules

These Rules shall not be waived or suspended except by a two-thirds (2/3) vote of those Senators present. The motion, when made, shall be decided without debate. A motion to waive a Rule requiring unanimous consent of the Senate shall be construed to be an amendment to these Rules and shall be referred to the Rules Committee except by unanimous consent of those Senators present.

#### 11.3—Changes in Rules

All proposed actions regarding the Rules and Order of Business in the Senate shall be first referred to the Rules Committee, which shall report as soon as practicable. Consideration of such a report shall always be in order. The Rules Committee may originate reports and resolutions dealing with the Senate Rules and the Order of Business, and such power shall be exclusive, provided, however, that any report made pursuant to this Rule may be amended by a two-thirds (2/3) vote of those Senators present.

#### 11.4—Majority action

Unless otherwise indicated by the Senate Rules or the *State Constitution*, all action by the Senate shall be by majority vote of those Senators present.

#### 11.5—Uniform construction

When in the Senate Rules reference is made to “two-thirds (2/3) of those present,” “two-thirds (2/3) vote,” “two-thirds (2/3) of the Senate,” “two-thirds (2/3) of those voting,” etc., these shall all be construed to mean two-thirds (2/3) of those Senators present, except that two-thirds (2/3) of the membership of the Senate shall be required to consider additional proposed legislation in any extended session in accordance with Article III, Section 3 of the *State Constitution*.

#### 11.6—General

When used in the Senate Rules, the following words shall, unless the text otherwise indicates, have the following respective meaning: the singular always includes the plural. Except where specifically provided or where the context indicates otherwise, the use of the word “bill,” “measure,” or “matter” means a bill, joint resolution, concurrent resolution, resolution, or memorial; however, “matter” also means an amendment, an appointment, or a suspension.

## RULE TWELVE

### EXECUTIVE SESSIONS, APPOINTMENTS, SUSPENSIONS, AND REMOVALS

#### PART ONE—EXECUTIVE SESSIONS

##### 12.1—Executive session; authority

The business of the Senate shall be transacted openly and not in executive session except under conditions pursuant to Article III, Section 4(b) of the *State Constitution*.

##### 12.2—Executive session; purpose

Pursuant to Article III, Section 4(b) of the *State Constitution*, the Senate may resolve itself into executive session for the sole purpose of considering appointment, removal, or suspension. No one shall be in attendance except Senators, the Secretary, and staff as approved by the President, who shall be sworn not to disclose any executive business without consent of the Senate.



**12.3—Executive session; vote required**

When the Senate agrees, by a majority of those Senators present, that specified appointments, removals, or suspensions shall be considered in executive session, such shall be calendared for formal consideration by the Senate.

**12.4—Executive session; work product confidentiality**

All information and remarks including committee work product concerning the character and qualification, together with the vote on each appointment, removal, or suspension considered in executive session shall be kept confidential except information on which the bans of confidentiality were lifted by the Senate while in executive session.

**12.5—Executive session; separate Journal**

A separate Journal shall be kept of executive proceedings of the Senate, and no information regarding same shall be made public except by order of the Senate or by order of a court of competent jurisdiction.

**12.6—Violation of Rule**

Violation of the above Rules as to the confidentiality of the proceedings of executive sessions shall be considered by the Senate as sufficient grounds for unseating the offending Senator.

**PART TWO—APPOINTMENTS, SUSPENSIONS, AND REMOVALS****12.7—Procedure**

(1) Except as otherwise herein provided, on receipt by the Senate of appointments or suspensions on which action by the Senate is required, the President shall refer each to the Ethics and Elections Subcommittee, other appropriate committee or committees, or a special master appointed by the President. Any such committee, subcommittee, or special master shall make inquiry or investigation and hold hearings, as appropriate, and advise the President and the Senate with a recommendation and the necessity for deliberating the subject in executive session. Reports and findings of the committee, subcommittee, or the special master appointed pursuant hereto are advisory only and shall be made to the President. The report of the committee, subcommittee, or the special master may be privileged and confidential. The President may order the report presented to the Senate in either open or executive session, or the President may refer it to the Rules Committee for its consideration and report. When the report is presented to the Senate in open session or received by the Rules Committee, the report shall lose its privileged and confidential character.

(2) Upon receipt of a request by the Governor or other appointing official or authority for the return of the documentation of an appointment, which appointment has not been acted upon by the Senate, the Secretary, upon consultation with the President, shall return the appointment documentation and the return shall be noted in the Journal. The appointee whose appointment was returned continues in office until the end of the next ensuing session of the Legislature or until the Senate confirms a successor, whichever occurs first.

- (a) If the appointment returned was made by the Governor, official or authority's predecessor, the appointee shall not be subject to the provisions of section 114.05(1)(e) or (f), *Florida Statutes*, during the period of withdrawal.
- (b) If the appointment returned was made by the Governor, official or authority requesting the return, for purposes of section 114.05(1)(e) and (f), *Florida Statutes*, the returned appointment shall be treated as if the Senate failed to consider the appointment.

(3) An executive suspension of a public official who is under indictment or who has pending against him or her criminal charges filed by the appropriate prosecuting officer in a court of record, or an executive suspension of a public official that is challenged in a court shall be referred to the Ethics and Elections Subcommittee, other appropriate committee or special master; however, all inquiry or investigation or hearings thereon shall be held in abeyance and the matter shall not be considered by the Senate, committee, subcommittee, or special master until the pending charges have been dismissed, or until final determination of the criminal charges at the trial court level, or until the final

determination of a court challenge, if any, and the exhaustion of all appellate remedies for any of the above. In a suspension case in which the criminal charge is not for the alleged commission of a felony, the committee, subcommittee, or special master and the Senate may proceed if the written consent of counsel for the Governor and of the suspended official is obtained.

(4) The Governor and the suspended official shall be given reasonable notice in writing of any hearing or pre-hearing conference before the committee or special master.

(5) The suspended official may file with the Secretary, no later than ten (10) days prior to the first (1st) pre-hearing conference, or no later than the date set by the committee, subcommittee, or special master if no pre-hearing conference is held, all written defenses or matters in avoidance of the charges contained in the suspension order.

(6) When it is advisable, the committee, subcommittee, or special master may request that the Governor file a bill of particulars containing a statement of further facts and circumstances supporting the suspension order. Within twenty (20) days after the receipt of such bill of particulars by the suspended officer, that officer shall file with the committee, subcommittee, or special master a response to the Governor's bill of particulars. Such response shall specifically admit or deny the facts or circumstances set forth in the Governor's bill of particulars, and may further make such representation of fact and circumstances or assert such further defenses as are responsive to the bill of particulars or as may bear on the matter of the suspension.

(7) The committee, subcommittee, or special master may provide for a pre-hearing conference with counsel for the Governor and the suspended official to narrow the issues involved in the suspension. At such conference, both the Governor and the suspended official shall set forth the names and addresses of all the witnesses they intend to call, the nature of their testimony, photocopies of all documentary evidence, and a description of all physical evidence that will be relied on by the parties at the hearing. Each shall state briefly what each expects to prove by such testimony and evidence.

(8) Subject to the limitations of Rule 12.7(3), the committee, subcommittee, or special master shall institute action by transmitting a notice of hearing for a pre-hearing conference or a hearing on the merits within three (3) months after the effective date of the suspension order. If a suspension order is referred to the committee, subcommittee, or special master but is held in abeyance in accordance with Rule 12.7(3), the committee, subcommittee, or special master shall institute action within three (3) months after the termination of pending proceedings as described in Rule 12.7(3). The Senate may act on the recommendations of the committee, subcommittee, or special master at any time it is in session but shall do so no later than the end of the next regular session of the Legislature.

(9) For the purposes of Article IV, Section 7(b) of the *State Constitution*, the Senate may find that the suspended official has committed a felony notwithstanding that a court may have withheld adjudication of guilt upon which the suspension order is based in whole or in part.

(10) If the Governor files an amended suspension order, the attention of the Senate, committee, subcommittee, or special master shall be directed at the amended suspension order.

(11) Within sixty (60) days after the Senate has completed final action on the recommendation of the committee, subcommittee, or special master, any party to the suspension matter may request the return, at that party's expense, of any exhibit, document, or other evidence introduced by that party. After the expiration of sixty (60) days from the date the Senate has completed final action, the committee, subcommittee, or special master may dispose of such exhibits or other evidence.

**12.8—Special master; appointment**

The President may appoint and contract for the services of a special master to perform such duties and make such reports in relation to suspensions and removals as he or she shall prescribe.

**12.9—Special master; floor privilege**

With consent of the President, the special master may have the privilege of the Senate floor to present and explain the report and answer questions as to the law and facts involved.

**12.10—Issuance of subpoenas and process**

The committee, subcommittee, and special master shall each have the authority to request the issuance of subpoenas, subpoenas duces tecum, and other necessary process under Rule 2.2. The committee chair, subcommittee chair, and special master may each administer all oaths and affirmations in the manner prescribed by law to witnesses who shall appear to testify on matters pending before the committee, subcommittee, or special master.

**12.11—Rule takes precedence**

In any situation where there is a direct conflict between the provisions of Rule Twelve (12) and part V of chapter 112, *Florida Statutes*, Rule Twelve (12), derived from Article III, Section 4(a) of the *State Constitution*, shall take precedence.

**RULE THIRTEEN****SPECIAL SESSION****13.1—Applicability of Senate Rules**

All Senate Rules shall apply and govern during special sessions except to the extent specifically modified or contradicted herein.

**13.2—Sessions of the Senate**

The Senate shall meet each legislative day at 9:00 a.m. or pursuant to a schedule provided by the President.

**13.3—Committee meetings; schedule, notice**

(1) Committee meetings shall be scheduled by the President. Meetings of committees scheduled in accordance with this Rule may be held after notice is made available in the public corridor leading into the Senate Chamber for two (2) hours in advance of the meeting. A committee may meet less than two (2) hours after the convening of a special session if a notice is filed with the Secretary by 5:00 p.m. of the day prior to the meeting.

(2) The notice shall include the date, time, and place of the meeting together with the name of the introducer, subject, number of each bill to be considered, and the amendment deadline for the meeting. All other provisions for publication of notice of committee meetings are suspended.

**13.4—Delivery for introduction**

All bills for introduction may be delivered to the Secretary at any time.

**13.5—Committee reports**

Every bill referred to a standing committee or committees shall be reported to the Secretary before 4:30 p.m. of the third (3rd) calendar day from the day of reference (the day of reference not being counted as the first (1st) day) unless otherwise ordered by the Senate by majority vote of those Senators present. Any bill on which no committee report is filed may be withdrawn from such committee and calendared on point of order. Every bill referred to a standing subcommittee shall be reported to the standing committee at a time specified by the chair of the standing committee which shall not be beyond the time allowed herein.

**13.6—Conference committee reports**

(1) The report of a conference committee appointed pursuant to Rule 1.5 shall be read to the Senate on two (2) consecutive legislative days and, on the completion of the second (2nd) reading, the vote shall be on the adoption or rejection thereof and final passage of the measure as

recommended. During the last two (2) days of a special session the report shall be read only once. A conference committee report shall be made available to the membership two (2) hours prior to the beginning of debate of the report by the Senate.

(2) The report must be acted on as a whole, being adopted or rejected, and each report shall include a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

(3) Conference committees, other than a conference committee on a general or special appropriations bill and its related legislation, shall consider and report only on the differences existing between the Senate and the House, and no substance foreign to the bills before the conferees shall be included in the report or considered by the Senate.

(4) A conference committee may only report by recommending the adoption of a series of amendments to the House or Senate bill that was the subject of the conference, or it may offer an amendment deleting everything after the enacting clause of any such bill referred to the committee. In any event the conference committee may recommend, as part of its report, the adoption or rejection of any or all of the amendments theretofore adopted by either house.

(5) When conferees on the part of the Senate report an inability to agree, any action of the Senate taken prior to such reference to a conference committee shall not preclude further action on said measure as the Senate may determine.

(6) After Senate conferees have been appointed for thirty-six (36) hours and have failed to make a report, it is a motion of the highest privilege to move to discharge said Senate conferees and to appoint new conferees, or to instruct said Senate conferees.

**13.7—Reconsideration**

A motion to reconsider shall be made and considered on the same day.

**13.8—Special Order Calendar**

(1) A Calendar Group, consisting of the Rules Chair, Rules Vice Chair, Majority Leader, Minority Leader, two (2) members of the Rules Committee designated by the President, and one (1) member of the Rules Committee designated by the Minority Leader, shall submit a Special Order Calendar determining the list of bills for consideration by the Senate. The President shall determine the order of such bills on the Special Order Calendar.

(2) Such Special Order Calendar shall be for the next legislative day. The amendment deadline for bills on the Special Order Calendar shall be 5:00 p.m. or two (2) hours after the Special Order Calendar is announced, whichever occurs later.

**RULE FOURTEEN****SEAL AND INSIGNIA****14.1—Seal and insignia**

(1) There shall be an official seal of the Senate. The seal shall be the size of a circle of two and one-half inches diameter having in the center thereof a fan of the five flags which have flown over Florida, above a disc containing the words: "In God We Trust" arched above a gavel, quill, and scroll. At the top of the field of flags shall be the word: "Seal." At the bottom shall be the date: "1838." The perimeter of the seal shall contain the words: "Senate" and "State of Florida."

(2) There shall be an official coat of arms for the Senate. The coat of arms shall contain a fan of the five flags that have flown over Florida, above the Great Seal of Florida. At the base of the coat of arms shall be the words: "The Florida Senate."

(3) The Senate Seal, the Senate Coat of Arms, official Senate stationery, calling cards, and facsimiles thereof may be used only in connection with official Senate business.

COMMUNICATION

The Honorable Charlie Crist, Governor November 29, 2010  
The State of Florida

Dear Governor Crist:

As the Congresswoman-Elect (Congressional District 17), this letter serves as my official resignation as Florida State Senator of District 33 effective Friday, December 31, 2010.

It has been a pleasure serving the constituents of my district and I look forward to continuing to serve the citizens of the great State of Florida.

Sincerely,  
*Senator Frederica S. Wilson*  
District 33

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGES — FINAL ACTION

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has adopted SCR 6000.

*Robert L. "Bob" Ward*, Clerk

The bill contained in the foregoing message was ordered enrolled.

COMMITTEES OF THE SENATE  
(With Revisions)

**Agriculture**

Senator Siplin, Chair; Senator Bullard, Vice Chair; Senators Alexander, Garcia, Hays, Montford and Simmons

**Banking and Insurance**

Senator Richter, Chair; Senator Smith, Vice Chair; Senators Alexander, Bennett, Bogdanoff, Fasano, Hays, Margolis, Negron, Oelrich and Sobel

**Budget**

Senator Alexander, Chair; Senator Negron, Vice Chair; Senators Altman, Benacquisto, Bogdanoff, Fasano, Flores, Gaetz, Hays, Joyner, Lynn, Margolis, Montford, Rich, Richter, Simmons, Siplin, Sobel, Thrasher and Wise

**Budget Subcommittee on Criminal and Civil Justice Appropriations**

Senator Fasano, Chair; Senator Joyner, Vice Chair; Senators Bennett, Evers, Smith, Storms and Thrasher

**Budget Subcommittee on Education Pre-K - 12 Appropriations**

Senator Simmons, Chair; Senator Montford, Vice Chair; Senators Detert, Dockery, Flores, Lynn, Ring, Siplin and Wise

**Budget Subcommittee on Finance and Tax**

Senator Bogdanoff, Chair; Senator Altman, Vice Chair; Senators Alexander, Gardiner, Margolis, Norman and Sachs

**Budget Subcommittee on General Government Appropriations**

Senator Hays, Chair; Senator Benacquisto, Vice Chair; Senators Braynon, Bullard, Diaz de la Portilla, Hill, Jones and Latvala

**Budget Subcommittee on Health and Human Services Appropriations**

Senator Negron, Chair; Senator Rich, Vice Chair; Senators Gaetz, Garcia, Oelrich, Richter and Sobel

**Budget Subcommittee on Higher Education Appropriations**

Senator Lynn, Chair; Senator Thrasher, Vice Chair; Senators Altman, Braynon, Detert, Hays, Joyner, Montford, Oelrich, Simmons, Siplin and Wise

**Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations**

Senator Gaetz, Chair; Senator Margolis, Vice Chair; Senators Alexander, Benacquisto, Bennett, Bogdanoff, Bullard, Dean, Diaz de la Portilla, Evers, Fasano, Hill, Latvala, Norman, Sachs, Smith and Sobel

**Children, Families, and Elder Affairs**

Senator Storms, Chair; Senator Hill, Vice Chair; Senators Detert, Hays and Rich

**Commerce and Tourism**

Senator Detert, Chair; Senator Dockery, Vice Chair; Senators Flores, Gaetz, Lynn, Montford and Ring

**Communications, Energy, and Public Utilities**

Senator Benacquisto, Chair; Senator Smith, Vice Chair; Senators Altman, Bogdanoff, Braynon, Diaz de la Portilla, Evers, Fasano, Flores, Joyner, Lynn, Margolis, Negron and Sachs

**Community Affairs**

Senator Bennett, Chair; Senator Norman, Vice Chair; Senators Dockery, Hill, Richter, Ring, Storms, Thrasher and Wise

**Criminal Justice**

Senator Evers, Chair; Senator Dean, Vice Chair; Senators Dockery, Margolis and Smith

**Education Pre-K - 12**

Senator Wise, Chair; Senator Bullard, Vice Chair; Senators Alexander, Benacquisto and Montford

**Environmental Preservation and Conservation**

Senator Dean, Chair; Senator Oelrich, Vice Chair; Senators Detert, Jones, Latvala, Rich and Sobel

**Governmental Oversight and Accountability**

Senator Ring, Chair; Senator Siplin, Vice Chair; Senators Benacquisto, Bogdanoff, Dean, Fasano, Flores, Garcia, Latvala, Margolis, Montford, Norman and Wise

**Health Regulation**

Senator Garcia, Chair; Senator Sobel, Vice Chair; Senators Altman, Bennett, Diaz de la Portilla, Fasano, Gaetz, Gardiner, Jones, Latvala, Norman and Ring

**Higher Education**

Senator Oelrich, Chair; Senator Siplin, Vice Chair; Senators Lynn, Negron and Sachs

**Judiciary**

Senator Flores, Chair; Senator Joyner, Vice Chair; Senators Bogdanoff, Braynon, Richter, Simmons and Thrasher

**Military Affairs, Space, and Domestic Security**

Senator Altman, Chair; Senator Hill, Vice Chair; Senators Bennett, Bullard, Jones, Sachs and Storms

**Reapportionment**

Senator Gaetz, Chair; Senator Margolis, Vice Chair; Senators Benacquisto, Braynon, Bullard, Dean, Detert, Diaz de la Portilla, Evers, Flores, Garcia, Gardiner, Hays, Latvala, Lynn, Montford, Negron, Rich, Sachs, Siplin, Sobel, Storms and Thrasher

**Regulated Industries**

Senator Jones, Chair; Senator Sachs, Vice Chair; Senators Altman, Braynon, Dean, Diaz de la Portilla, Hill, Norman, Rich, Siplin, Thrasher and Wise

**Rules**

Senator Thrasher, Chair; Senator Alexander, Vice Chair; Senators Bullard, Flores, Gaetz, Gardiner, Jones, Margolis, Negron, Richter, Siplin, Smith and Wise

**Rules Subcommittee on Ethics and Elections**

Senator Diaz de la Portilla, Chair; Senator Detert, Vice Chair; Senators Alexander, Braynon, Dockery, Evers, Gaetz, Joyner, Oelrich, Rich, Richter, Simmons, Smith, Sobel and Thrasher

**Transportation**

Senator Latvala, Chair; Senator Evers, Vice Chair; Senators Benacquisto, Bullard, Garcia, Joyner and Storms

**Joint Legislative Committees:****Joint Select Committee on Collective Bargaining**

Senator Ring, Co-Chair; Senators Bogdanoff, Garcia, Montford and Wise

**Joint Legislative Budget Commission**

Senator Alexander, Vice Chair; Senators Gaetz, Negron, Rich, Richter, Siplin and Wise

**ENROLLING REPORTS**

SCR 6000 has been enrolled, signed by the required Constitutional Officers and filed with the Secretary of State on March 8, 2011.

**CORRECTION AND APPROVAL OF JOURNAL**

The Journals of November 16, 2010, Organization Session; and November 16, 2010, Special Session A were corrected and approved.

**RECESS**

Pursuant to the motion by Senator Thrasher previously adopted, upon dissolution of the joint session at 6:38 p.m., the Senate recessed for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Wednesday, March 9 or upon call of the President.

**SENATE PAGES**

March 7-11, 2011

Rejerio Burton, Ocala; Brittany Detert, Venice; Megan Gallagher, Freeport; Alexandria Hall, Monticello; Gregory Hyppolite, Miami; Grace Kurecki, Venice; Christine Martinez, Tampa; Donald McCloud, Monticello; Alex Merrill, Osprey; Lindsay Taggart, Lutz; Austin Toro, Tallahassee