



Journal of the Senate

Number 17—Regular Session

Thursday, April 28, 2011

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CALL TO ORDER

The Senate was called to order by President Haridopolos at 9:00 a.m.
A quorum present—37:

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

Excused: Senator Bullard

PRAYER

The following prayer was offered by Rev. David Throckmorton, First Baptist Church, Blountstown:

Our Lord and our God, we are grateful for this opportunity to come before your presence. First of all, Father, we certainly want to remember all who were affected by the storms and the tornadoes in Alabama and Georgia and throughout the South and, Lord, that you will minister and comfort and protect. Father, today we find ourselves with a myriad of needs and concerns. In fact, all of us are overwhelmed with the confusion, the upset, and the pain. Father, we know that none of us can deny that human need is greater than ever, and that the crooked roads of our existence at all levels need to be straightened.

Thankfully Father, you are greater than we are. You are the highest power in all the universe. As we look back over the years of our existence, you have an obvious reputation of helping and providing and illuminating and blessing. If we ever needed you, O God, we need you now. We need your help. We need you to provide. We need you to illuminate us with the bright light of your love in the midst of all the darkness. We need you, O God, to bless us.

Thankfully, we can call upon your name and believe that you will actually hear us, and not just hear, but answer our requests. Thankfully, we can call on you and you will answer and tell us great and unsearchable things that we do not know. Thankfully, there are times you do not give us an answer, but you give us your wonderful, comforting presence.

We call upon you, mighty God, to descend upon this Senate. Lead them, love them, bless them as they conduct the business of this great state of Florida. It is in the name of the Lord that we pray. Amen.

PLEDGE

Senate Pages Mark Cleaver of Grand Island; Stephanie Marxsen of Carrabelle; Carlton Robinson, daughter of former Senator Lisa Carlton of Sidel; Grace Beatty of Ft. Myers; and Hannah Stargel of Lakeland, led the Senate in the pledge of allegiance to the flag of the United States of America.

SPECIAL GUESTS

Senator Detert introduced former Senator Lisa Carlton who was present in the chamber.

ADOPTION OF RESOLUTIONS

At the request of Senator Hill—

By Senators Hill and Gaetz—

SR 188—A resolution recognizing September 2011 as “Prostate Cancer Awareness Month.”

WHEREAS, prostate cancer is the most common cancer diagnosed among men in Florida, and the American Cancer Society estimates that more than 217,730 new cases of prostate cancer were diagnosed among men in the United States during 2010, and

WHEREAS, the American Cancer Society also anticipates that there were more than 2,590 deaths in Florida last year attributed to prostate cancer, and

WHEREAS, Florida has the third-highest incidence rate and the second-highest number of prostate cancer deaths in the United States, and

WHEREAS, African American and black men have the highest prostate cancer death rate in the world, and a mortality rate that is twice that of white men, and

WHEREAS, the American Cancer Society recommends that annual prostate cancer testing begin at age 50, except for men at high-risk, such as African Americans and men having a family history of the disease, who are advised to begin annual screening at age 45, and

WHEREAS, the 5-year survival rate for prostate cancer patients is 100 percent if the disease is diagnosed at the local and regional stages, otherwise known as the early stages, and

WHEREAS, the American Cancer Society supports African American Men’s Health Summits in at least 16 major metropolitan areas across the state in an attempt to increase prostate cancer awareness and prostate screening among African American men in Florida, and

WHEREAS, the Man-to-Man Program of the American Cancer Society attempts to increase prostate cancer awareness, education, and support during the month of September and throughout the year, NOW, THEREFORE,

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

That September 2011 is recognized as “Prostate Cancer Awareness Month” in Florida and all men are urged to understand the risks associated with prostate cancer, to take preventive steps to minimize those risks, and to talk to their doctor about annual prostate cancer screening and compliance with the prostate cancer screening guidelines recommended by the American Cancer Society.

—**SR 188** was introduced, read and adopted by publication.

At the request of Senator Hill—

By Senator Hill—

SR 190—A resolution recognizing April 28, 2011, as “Workers’ Memorial Day” in Florida.

WHEREAS, 39 years ago, the United States Congress passed the Occupational Safety and Health Act, promising every American worker the right to a safe job, and

WHEREAS, unions and their allies have fought hard to make that promise a reality, winning protections that have saved hundreds of thousands of lives and prevented millions of workplace injuries, and

WHEREAS, despite these efforts, the toll of workplace injuries, illnesses, and death remains enormous, with 60,000 American workers dying from job-related injuries each year and another 15.6 million workers injured on the job, and

WHEREAS, the unions of the AFL-CIO are committed to the continuing struggle to make workers’ safety a priority and to keep and create good jobs in America, for American workers, and

WHEREAS, America’s economy and the health and vigor of American society depend on the availability of decent jobs for American workers and on the safety of those jobs, NOW, THEREFORE,

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

That April 28, 2011, is recognized as “Workers’ Memorial Day” in the State of Florida in honor of the many American workers who have suffered injury and death on the job, and in recognition of the work of the unions of the AFL-CIO to protect the safety of American workers and to secure the availability of decent jobs for Americans.

—**SR 190** was introduced, read and adopted by publication.

MOMENT OF SILENCE

On motion by Senator Hill, a moment of silence was observed in honor of Workers’ Memorial Day.

BILLS ON THIRD READING

CS for CS for SB 234—A bill to be entitled An act relating to firearms; amending s. 790.053, F.S.; providing that a person who is licensed to carry a concealed firearm is not in violation of law if the firearm is briefly and openly displayed under certain circumstances; amending s. 790.06, F.S.; allowing the Division of Licensing of the Department of Agriculture and Consumer Services to take fingerprints from concealed carry license applicants; providing that a person may not openly carry a weapon or firearm or carry a concealed weapon or firearm into specified locations; providing that concealed carry licensees shall not be prohibited from carrying or storing a firearm in a vehicle for lawful purposes; providing that a provision limiting the scope of a license to carry a concealed weapon or firearm does not modify certain exceptions to prohibited acts with respect to a person’s right to keep and bear arms in motor vehicles for certain 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; providing an effective date.

—as amended April 27 was read the third time by title.

On motion by Senator Evers, **CS for CS for SB 234** as amended was passed and certified to the House. The vote on passage was:

Yeas—26

Mr. President	Evers	Lynn
Alexander	Fasano	Negron
Altman	Flores	Norman
Benacquisto	Gaetz	Oelrich
Bennett	Garcia	Richter
Bogdanoff	Gardiner	Simmons
Detert	Hays	Thrasher
Diaz de la Portilla	Hill	Wise
Dockery	Latvala	

Nays—11

Braynon	Margolis	Siplin
Dean	Montford	Smith
Jones	Rich	Sobel
Joyner	Sachs	

Vote after roll call:

Yea—Storms

CS for CS for CS for HB 45—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 the knowing and willful violation of the Legislature’s occupation of the whole field of regulation of firearms and ammunition by the enactment or causation of enforcement of any local ordinance or administrative rule or regulation; providing additional intent of the section; eliminating provisions authorizing counties to adopt an ordinance requiring a waiting period between the purchase and delivery of a handgun; providing injunctive relief from the enforcement of an invalid ordinance, regulation, or rule; providing a civil penalty for knowing and willful violation of prohibitions; providing that public funds may not be used to defend or reimburse the unlawful conduct of any person charged with a knowing and willful violation of the act; 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 act; providing for declaratory and injunctive relief for specified persons or organizations; providing for specified damages and interest; providing exceptions to prohibitions of the section; providing an effective date.

—was read the third time by title.

On motion by Senator Negron, **CS for CS for CS for HB 45** was passed and certified to the House. The vote on passage was:

Yeas—30

Mr. President	Evers	Montford
Alexander	Fasano	Negron
Altman	Flores	Norman
Benacquisto	Gaetz	Oelrich
Bennett	Gardiner	Richter
Bogdanoff	Hays	Simmons
Dean	Hill	Siplin
Detert	Jones	Storms
Diaz de la Portilla	Latvala	Thrasher
Dockery	Lynn	Wise

Nays—8

Braynon	Margolis	Ring
Joyner	Rich	Sachs

Smith

Sobel

CS for CS for HB 155—A bill to be entitled An act relating to the privacy of firearm owners; creating s. 790.338, F.S.; providing that a licensed medical care practitioner or health care facility may not record information regarding firearm ownership in a patient's medical record; providing an exception for relevance of the information to the patient's medical care or safety or the safety of others; providing that unless the information is relevant to the patient's medical care or safety or the safety of others, inquiries regarding firearm ownership or possession should not be made by licensed health care practitioners or health care facilities; providing an exception for emergency medical technicians and paramedics; providing that a patient may decline to provide information regarding the ownership or possession of firearms; clarifying that a physician's authority to choose his or her patients is not altered by the act; prohibiting discrimination by licensed health care practitioners or facilities based solely upon a patient's firearm ownership or possession; prohibiting harassment of a patient regarding firearm ownership by a licensed health care practitioner or facility during an examination; prohibiting denial of insurance coverage, increased premiums, or any other form of discrimination by insurance companies issuing policies on the basis of an insured's or applicant's ownership, possession, or storage of firearms or ammunition; clarifying that an insurer is not prohibited from considering the fair market value of firearms or ammunition in setting personal property coverage premiums; providing for disciplinary action; amending s. 381.026, F.S.; providing that unless the information is relevant to the patient's medical care or safety, or the safety of others, inquiries regarding firearm ownership or possession should not be made by licensed health care providers or health care facilities; providing that a patient may decline to provide information regarding the ownership or possession of firearms; clarifying that a physician's authority to choose his or her patients is not altered by the act; prohibiting discrimination by licensed health care providers or health care facilities based solely upon a patient's firearm ownership or possession; prohibiting harassment of a patient regarding firearm ownership during an examination by a licensed health care provider or health care facility; amending s. 456.072, F.S.; including the violation of the provisions of s. 790.338, F.S., as grounds for disciplinary action; providing an effective date.

—was read the third time by title.

On motion by Senator Evers, **CS for CS for HB 155** was passed and certified to the House. The vote on passage was:

Yeas—27

Mr. President	Fasano	Norman
Alexander	Garcia	Oelrich
Altman	Gardiner	Richter
Benacquisto	Hays	Simmons
Bennett	Jones	Siplin
Bogdanoff	Latvala	Smith
Dean	Lynn	Storms
Diaz de la Portilla	Montford	Thrasher
Evers	Negron	Wise

Nays—10

Braynon	Joyner	Sachs
Detert	Margolis	Sobel
Dockery	Rich	
Hill	Ring	

Vote after roll call:

Yea—Flores, Gaetz

SENATOR JONES PRESIDING

Consideration of **CS for CS for HB 1231** was deferred.

CS for CS for HB 701—A bill to be entitled An act relating to property rights; amending s. 70.001, F.S.; revising definitions; short-

ening a notice period for certain actions; revising procedures for determining a governmental entity's final decision identifying the allowable uses for a property; defining what constitutes first application of a law or regulation; clarifying the waiver of sovereign immunity for liability; providing for prospective application; providing an effective date.

—was read the third time by title.

On motion by Senator Simmons, **CS for CS for HB 701** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	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

Nays—None

CS for CS for HB 1231—A bill to be entitled An act relating to telecommunications; creating the "Regulatory Reform Act"; amending s. 364.01, F.S.; revising legislative intent with respect to the jurisdiction of the Florida Public Service Commission; amending s. 364.011, F.S.; providing that certain basic and nonbasic telecommunication services are exempt from the jurisdiction of the Public Service Commission; amending s. 364.012, F.S.; requiring local exchange telecommunications companies to provide unbundled access to network elements; amending s. 364.0135, F.S.; providing legislative intent relating to the sustainable adoption of broadband Internet service; providing a definition of "sustainable adoption" as it relates to broadband Internet services; removing obsolete legislative intent; authorizing the Department of Management Services to work collaboratively with, and to receive staffing support and other resources from, Enterprise Florida, Inc., state agencies, local governments, private businesses, and community organizations to encourage sustainable adoption of broadband Internet services; authorizing the department to adopt rules; amending s. 364.02, F.S.; removing the definition of the term "monopoly service"; revising the definitions of the terms "basic local telecommunications service" and "nonbasic service"; excluding an operator service provider from the meaning of the term "telecommunications company"; revising the definition of the term "VoIP"; repealing ss. 364.025, 364.0251, and 364.0252, F.S., relating to uniform telecommunications service, a telecommunications consumer information program, and the expansion of consumer information programs, respectively; amending s. 364.04, F.S.; providing that the commission has no jurisdiction over the content, form, or format of rate schedules published by a telecommunications company; providing that a telecommunications company may undertake certain activities; repealing ss. 364.051, 364.052, 364.057, 364.058, 364.059, 364.06, 364.063, 364.07, and 364.08, F.S., relating to price regulation, regulatory methods for small local exchange telecommunications companies, experimental and transitional rates, limited proceedings, procedures for seeking a stay of proceedings, joint rates, tolls, and contracts, rate adjustment orders, intrastate interexchange service contracts, and unlawful charges against consumers, respectively; amending s. 364.10, F.S.; removing obsolete provisions; requiring an eligible telecommunications carrier to provide a Lifeline Assistance Plan to qualified residential subscribers; authorizing the commission to undertake certain consumer education measures; repealing s. 364.15, F.S., relating to repairs, improvements, and additions to telecommunication facilities; amending s. 364.16, F.S., relating to interconnection, unbundling, and resale of telecommunication services; requiring the commission to, upon request, arbitrate and enforce interconnection agreements; prohibiting a telecommunications company from knowingly delivering traffic for which terminating access service charges would otherwise apply; authorizing the commission to adopt rules to prevent the unauthorized changing of a subscriber's tele-

communications service; removing obsolete provisions relating to local exchange telecommunications companies; repealing ss. 364.161 and 364.162, F.S., relating to unbundling and resale of telecommunication services and negotiated prices for interconnection services, respectively; amending s. 364.163, F.S.; conforming provisions to changes made by the act; amending s. 364.183, F.S.; revising provisions relating to access of the commission to certain records of a telecommunications company; repealing ss. 364.185, 364.19, and 364.27, F.S., relating to powers of the commission to investigate and inspect any premises of a telecommunications company, regulation of telecommunication contracts, and powers and duties as to interstate rates, respectively; amending s. 364.33, F.S., relating to the certificate of authority; prohibiting a person from providing any telecommunications service to the public without a certificate of necessity or a certificate of authority issued by the commission; providing that, after a specified date, the commission will no longer issue certificates of necessity; amending s. 364.335, F.S.; requiring an applicant to provide certain information when applying for a certificate of authority; describing the criteria necessary to be granted a certificate of authority; authorizing a telecommunications company to terminate a certificate of authority; amending s. 364.336, F.S.; requiring the commission to initiate rulemaking to reduce the regulatory assessment fee for telecommunications companies and to produce an annual report describing its efforts to reduce the fee; repealing s. 364.337, F.S., relating to competitive local exchange companies; amending s. 364.3375, F.S., relating to pay telephone service providers; requiring pay telephone providers to obtain a certificate of authority from the commission; repealing ss. 364.3376, 364.3381, 364.3382, 364.339, 364.345, and 364.37, F.S., relating to operator services, cross-subsidization, cost disclosures, certificates for territories served, shared tenant services, and powers of the commission relating to service territories, respectively; amending s. 364.385, F.S.; removing obsolete provisions relating to saving clauses; amending s. 364.386, F.S.; revising the content to be included in the report to be filed with the Legislature; repealing ss. 364.501, 364.503, 364.506, 364.507, 364.508, 364.515, 364.516, 364.601, 364.602, 364.603, and 364.604, F.S., relating to the prevention of damages to underground telecommunication facilities, mergers or acquisitions, a short title for education facilities, legislative intent for advanced telecommunication services to eligible facilities, definitions, infrastructure investments, penalties for failing to provide advanced telecommunication services, the short title for telecommunication consumer protections, definitions, the methodology for protecting consumers for changing telecommunication providers, and billing procedures to inform and protect the consumer, respectively; amending ss. 196.012, 199.183, 212.08, 290.007, 350.0605, 364.105, 364.32, and 489.103, F.S.; revising cross-references to conform to changes made by the act; providing an effective date.

—was read the third time by title.

On motions by Senator Simmons, **CS for CS for HB 1231** was passed and by two-thirds vote was immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	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

Nays—None

Vote after roll call:

Yea to Nay—Fasano

CS for CS for CS for SB 1546—A bill to be entitled An act relating to charter schools; amending ss. 163.3180 and 1002.32, F.S.; conforming cross-references; amending s. 1002.33, F.S.; requiring that the Department of Education provide or arrange for training and technical assistance for charter schools; authorizing a sponsor to require certain governing board members to reside in the school district; providing for the designation of charter schools as high-performing if certain requirements are met; providing definitions relating to the high-performing charter school system; revising provisions to conform to changes made by the act; amending ss. 1002.34, 1011.68, 1012.32, and 1013.62, F.S.; conforming cross-references; requiring that the Office of Program Policy Analysis and Government Accountability conduct a study comparing the funding of charter schools to the funding of public schools; providing requirements for the study; requiring that the office submit its recommendations and findings to the Governor and Legislature by a specified date; providing for severability; providing an effective date.

—as amended April 27 was read the third time by title.

On motions by Senator Thrasher, **CS for CS for CS for SB 1546** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—31

Mr. President	Fasano	Oelrich
Alexander	Flores	Richter
Altman	Gaetz	Ring
Benacquisto	Garcia	Simmons
Bennett	Gardiner	Siplin
Bogdanoff	Hays	Sobel
Dean	Jones	Storms
Detert	Latvala	Thrasher
Diaz de la Portilla	Lynn	Wise
Dockery	Negron	
Evers	Norman	

Nays—8

Braynon	Margolis	Sachs
Hill	Montford	Smith
Joyner	Rich	

SPECIAL GUESTS

Senator Jones introduced former Senator Frank Mann who was present in the chamber.

CS for HB 7087 and HB 7091—A bill to be entitled An act relating to education law repeals; repealing s. 445.049, F.S., relating to the creation of the Digital Divide Council in the Department of Education; repealing s. 817.567, F.S., relating to making false claims of academic degree or title; repealing s. 1001.291, F.S., which provides for implementation of a pilot project relating to discounted computers and Internet access for low-income students; repealing s. 1004.50, F.S., relating to the Institute on Urban Policy and Commerce; amending ss. 1004.51 and 1004.52, F.S.; conforming provisions to changes made by the act; repealing s. 1004.95, F.S., relating to adult literacy centers; repealing s. 1004.97, F.S., relating to the Florida Literacy Corps; providing an effective date.

—was read the third time by title.

On motions by Senator Wise, **CS for HB 7087 and HB 7091** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Bogdanoff	Dockery
Alexander	Braynon	Evers
Altman	Dean	Fasano
Benacquisto	Detert	Flores
Bennett	Diaz de la Portilla	Gaetz

Garcia	Margolis	Sachs
Gardiner	Montford	Simmons
Hays	Negron	Siplin
Hill	Norman	Smith
Jones	Oelrich	Sobel
Joyner	Rich	Storms
Latvala	Richter	Thrasher
Lynn	Ring	Wise

Nays—None

Vote after roll call:

Yea to Nay—Braynon, Joyner, Smith

CS for SB 1466—A bill to be entitled An act relating to class size requirements; amending s. 1003.01, F.S.; redefining the terms “core-curricula courses” and “extracurricular courses”; amending s. 1003.03, F.S.; deleting a reference to the State Constitution regarding class size maximums; requiring that class size maximums be satisfied on or before the October student membership survey each year; requiring that the class size maximums be maintained after the October student membership survey unless certain conditions occur; providing that a student who enrolls in a school after the October student membership survey may be assigned to classes that temporarily exceed class size maximums if the school board determines that not assigning the student would be impractical, educationally unsound, or disruptive to student learning; providing for a specified number of students to be assigned above the maximum if the district school board makes this determination; requiring that the district school board develop a plan providing that the school will be in full compliance with the maximum class size requirements by the next October student membership survey; requiring that the Department of Education identify from the Course Code Directory the core-curricula courses for the purpose of satisfying the maximum class size requirement; authorizing the department to adopt rules; amending s. 1011.685, F.S.; revising provisions relating to class size reduction operational categorical funds; authorizing a school district that meets the maximum class size requirement to use the funds for any lawful operating expenditure; providing an effective date.

—as amended April 27 was read the third time by title.

On motion by Senator Simmons, **CS for SB 1466** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	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	

Nays—1

Hill

CS for HB 97—A bill to be entitled An act relating to health insurance; creating ss. 627.64995, 627.66996, 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.

—as amended April 27 was read the third time by title.

On motion by Senator Gaetz, **CS for HB 97** as amended was passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Fasano	Norman
Alexander	Flores	Oelrich
Altman	Gaetz	Richter
Benacquisto	Garcia	Simmons
Bennett	Gardiner	Siplin
Bogdanoff	Hays	Storms
Dean	Jones	Thrasher
Diaz de la Portilla	Latvala	Wise
Dockery	Montford	
Evers	Negron	

Nays—11

Braynon	Lynn	Sachs
Detert	Margolis	Smith
Hill	Rich	Sobel
Joyner	Ring	

Vote after roll call:

Yea to Nay—Jones, Montford

CS for HJR 1179—A joint resolution proposing the creation of Section 28 of Article I of the State Constitution to generally prohibit public funding of abortions and prohibit the State Constitution from being interpreted to create broader rights to an abortion than those contained in the United States Constitution.

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

That the following creation of Section 28 of Article I of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE I

DECLARATION OF RIGHTS

SECTION 28. *Prohibition on public funding of abortions; construction of abortion rights.—*

(a) *Public funds may not be expended for any abortion or for health-benefits coverage that includes coverage of abortion. This subsection does not apply to:*

- (1) *Expenditures required by federal law;*
 - (2) *An abortion that is necessary to save the life of the mother; or*
 - (3) *Pregnancies that result from rape or incest.*
- (b) *This constitution may not be interpreted to create*

broader rights to an abortion than those contained in the United States Constitution.

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

CONSTITUTIONAL AMENDMENT

ARTICLE I, SECTION 28

PROHIBITION ON PUBLIC FUNDING OF ABORTIONS; CONSTRUCTION OF ABORTION RIGHTS.—This proposed amendment provides that public funds may not be expended for any abortion or for health-benefits coverage that includes coverage of abortion. This prohibition does not apply to expenditures required by federal law, an abor-

tion that is necessary to save the life of the mother, or cases of rape or incest.

This proposed amendment provides that the State Constitution may not be interpreted to create broader rights to an abortion than those contained in the United States Constitution. With respect to abortion, this proposed amendment overrules court decisions which conclude that the right of privacy under Article I, Section 23 of the State Constitution is broader in scope than that of the United States Constitution.

—as amended April 27 was read the third time in full.

On motion by Senator Flores, **CS for HJR 1179** as amended was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—27

Mr. President	Dockery	Negron
Alexander	Evers	Norman
Altman	Fasano	Oelrich
Benacquisto	Flores	Richter
Bennett	Gaetz	Simmons
Bogdanoff	Garcia	Siplin
Dean	Gardiner	Storms
Detert	Hays	Thrasher
Diaz de la Portilla	Latvala	Wise

Nays—12

Braynon	Lynn	Ring
Hill	Margolis	Sachs
Jones	Montford	Smith
Joyner	Rich	Sobel

THE PRESIDENT PRESIDING

CS for CS for HB 395—A bill to be entitled An act relating to the University of Florida J. Hillis Miller Health Center; amending s. 1004.41, F.S.; correcting the name of one of the health center's colleges; specifying that the University of Florida Board of Trustees shall lease Shands Teaching Hospital and Clinics on the Gainesville campus to Shands Teaching Hospital and Clinics, Inc.; specifying the primary purpose of Shands Teaching Hospital and Clinics, Inc.; providing requirements for lease, contract, or agreement between the University of Florida Board of Trustees and Shands Teaching Hospital and Clinics, Inc.; authorizing the creation of corporate subsidiaries and affiliates; providing the right of control; providing for sovereign immunity; providing that Shands Jacksonville Medical Center, Inc., and its parent, Shands Jacksonville HealthCare, Inc., are private not-for-profit corporations organized primarily to support the health affairs mission of the University of Florida Board of Trustees; authorizing the creation of corporate subsidiaries and affiliates; providing requirements for lease, contract, or agreement between the University of Florida Board of Trustees and the corporations; providing the right of control; providing for sovereign immunity; providing for application; providing an effective date.

—was read the third time by title.

On motion by Senator Thrasher, **CS for CS for HB 395** was passed and certified to the House. The vote on passage was:

Yeas—35

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

Richter	Siplin	Thrasher
Sachs	Smith	Wise
Simmons	Sobel	

Nays—3

Hill	Ring	Storms
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Consideration of **CS for CS for CS for SB 408** was deferred.

CS for SB 1992—A bill to be entitled An act relating to background screening; amending s. 394.4572, F.S.; providing that mental health personnel working in a facility licensed under ch. 395, F.S., who work on an intermittent basis for less than 15 hours per week of direct, face-to-face contact with patients are exempt from the fingerprinting and screening requirements; providing an exception; amending s. 409.1757, F.S.; adding law enforcement officers who have a good moral character to the list of professionals who are not required to be reprinted or rescreened; amending s. 430.0402, F.S.; including volunteers within the definition of the term “direct service provider” for purposes of required background screening; exempting a volunteer who meets certain criteria and a client's relative or spouse from the screening requirement; excepting certain licensed professionals and persons screened as a licensure requirement from further screening under certain circumstances; requiring direct service providers working as of a certain date to be screened within a specified period; providing a phase-in for screening direct service providers; requiring that employers of direct service providers and certain other individuals be rescreened every 5 years unless fingerprints are retained electronically by the Department of Law Enforcement; removing an offense from the list of disqualifying offenses for purposes of background screening; amending s. 435.04, F.S.; requiring vendors who submit fingerprints on behalf of employers to meet specified criteria; requiring that fingerprints be retained for any person screened by a certain date; amending s. 435.06, F.S.; authorizing an employer to hire an employee to a position that otherwise requires background screening before the completion of the screening process for the purpose of training the employee; prohibiting the employee from having direct contact with vulnerable persons until the screening process is complete; amending s. 435.07, F.S.; providing that personnel of a qualified entity as defined in ch. 943, F.S., may apply for an exemption from screening; amending s. 408.809, F.S.; eliminating a rule that requires the Agency for Health Care Administration to stagger rescreening schedules; providing a rescreening schedule; amending s. 464.203, F.S.; requiring the Board of Nursing to waive background screening requirements for certain certified nursing assistants; requiring the establishment of a statewide interagency workgroup relating to statewide background screening procedures and information sharing; providing for membership; requiring the workgroup to submit a report to the Legislature by a specified date; setting forth the topics that, at a minimum, the workgroup must address in its work plan; providing an effective date.

—as amended April 27 was read the third time by title.

Senator Storms moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (665250)—Delete line 189 and insert: *shall be retained for any person who is screened on or after*

On motion by Senator Storms, **CS for SB 1992** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—39

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

Oelrich	Sachs	Sobel
Rich	Simmons	Storms
Richter	Siplin	Thrasher
Ring	Smith	Wise

Nays—None

CS for CS for 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. 316.003, F.S.; revising the definition of the term “motor vehicle” to include durable medical equipment and swamp buggies; revising the definition of the term “electric personal assistive mobility device”; defining the terms “swamp buggy,” “road rage,” and “durable medical equipment”; amending s. 316.008, F.S.; deleting the powers of local authorities to regulate assistive mobility devices on sidewalks; providing that mobility-impaired persons have the rights and responsibilities provided to pedestrians in s. 316.130, F.S., with respect to traffic regulations; amending s. 316.1905, F.S.; providing that certain traffic citations may not be issued or prosecuted unless a law enforcement officer used an electrical, mechanical, or other speed-calculating device that has been tested and approved; providing an exception; 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 s. 316.2015, F.S.; prohibiting the operator of a pickup truck or flatbed truck from permitting a child who is younger than 6 years of age from riding within the open body of the truck under certain circumstances; providing for certain exceptions; making technical and grammatical changes; amending s. 316.2065, F.S.; revising safety standard requirements for bicycle helmets that must be worn by certain riders and passengers; clarifying provisions relating to when a bicycle operator must ride in a bicycle lane or along the curb or edge of the roadway; 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; amending s. 316.2085, F.S.; requiring that license tags for mopeds and motorcycles be affixed so that the letters and numbers are legible from the rear; specifying that the tags may be displayed horizontally or vertically to the ground so that the numbers and letters read from left to right or from top to bottom; 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. 316.613, 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 that parents and others are responsible for complying with child-restraint requirements in certain chauffeur-driven vehicles; providing a grace period; 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; providing that a person charged with a traffic infraction may request a hearing that the clerk must set; providing criteria; 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.; providing for the application for a certificate of title, cor-

rected certificate, or assignment or reassignment to be filed from the consummation of the sale of a mobile home; 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; providing that a dealer of certain farm or industrial equipment is not subject to licensure as a recovery agent or agency under certain conditions; 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, except for any notice regarding the potential forfeiture or foreclosure of an interest in property; amending s. 320.01, F.S.; revising the definition of the term “motor vehicle” to include special mobile equipment and swamp buggies; deleting an obsolete definition; revising the gross vehicle weight for purposes of defining the terms “apportionable vehicle” and “commercial motor vehicle”; defining the term “swamp buggy”; 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, Autism Services and Supports, the Auto Club South Traffic Safety Foundation, Support Our Troops and Take Stock in Children; 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 contributions 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; providing for an electronic filing system agent to operate in a county other than the county in which the agent is located; providing for the division of fees; deleting obsolete provisions; 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; creating s. 320.08051, F.S.; providing for the approval of certain specialty license plate applications; providing conditions; requiring the organization to submit certain information to the department for the specialty plate; requiring the department to begin production of any approved specialty plate within a certain time; providing for a fee; requiring compliance with all other provisions relating to specialty plates; amending s. 320.08058, F.S.; changing the recipient of the proceeds for the Live the Dream license plates to the Florida Dream Foundation, Inc.; amending s. 320.08068, F.S.; revising use of funds received from the sale of motorcycle specialty license plates; 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 disabled parking permit renewals; requiring a permit holder to personally appear to obtain a renewal or replacement permit; 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 the means by which an applicant for an identification card may prove non-immigrant 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; providing for driver's license application forms to allow the applicant to make a voluntary contribution to Autism Services and Supports, the Auto Club South Traffic Safety Foundation, and Support Our Troops; 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; creating s. 322.1415, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to issue a specialty driver's license or identification card to qualified applicants; specifying that, at a minimum, the specialty driver's licenses and identification cards must be available for certain state and independent universities and professional sports teams and all of the branches of the United States military; requiring that the design of each specialty driver's license and identification card be approved by the department; creating s. 322.145, F.S.; requiring the Department of Highway Safety and Motor Vehicles to implement a system providing for the electronic authentication of driver's licenses; providing criteria for a token for security authenticity; requiring that the department contract for implementation of the electronic verification; 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.; providing for the distribution of funds collected from the specialty driver's license and identification card fees; 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; creating the "Highway Safety Act"; providing legislative intent relating to road rage and aggressive careless driving; 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 ag-

gressive 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; 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; amending ss. 318.1451 and 322.095, F.S.; requiring the curricula of driver improvement schools and education programs for driver's license applicants to include instruction on the dangers of driving while distracted, which must specifically include the use of technology while driving; amending s. 320.27, F.S.; exempting salvage motor vehicle dealers from certain insurance requirements; amending s. 316.6135, F.S.; clarifying the criteria under which a child may not be left unattended in a vehicle; providing a short title; providing for a voluntary emergency contact information program established by the department; amending s. 320.08058, F.S.; providing that proceeds from the sale of Support Soccer license plates shall be distributed to the Florida Soccer Foundation, Inc.; providing effective dates.

—as amended April 27 was read the third time by title.

Senator Sachs moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (894990) (with title amendment)—Between lines 3657 and 3658 insert:

Section 91. Subsection (10) of section 402.305, Florida Statutes, is amended to read:

402.305 Licensing standards; child care facilities.—

(10) TRANSPORTATION SAFETY.—

(a) Minimum standards shall include requirements for child restraints or seat belts in vehicles used by child care facilities and large family child care homes to transport children, requirements for annual inspections of the vehicles, limitations on the number of children in the vehicles, and accountability for children being transported.

(b)1. *On or before January 1, 2012, such vehicles must be equipped with an alarm system approved by the department which prompts the driver to inspect the vehicle for children before exiting such vehicle.*

2. *The department shall adopt rules to administer this paragraph and shall maintain a list of alarm manufacturers and alarm systems that are approved to be installed in such vehicles.*

And the title is amended as follows:

Between lines 346 and 347 insert: 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;

On motion by Senator Latvala, **CS for CS for SB 1150** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—38

Alexander	Braynon	Evers
Altman	Dean	Fasano
Benacquisto	Detert	Flores
Bennett	Diaz de la Portilla	Gaetz
Bogdanoff	Dockery	Garcia

Gardiner	Montford	Simmons
Hays	Negron	Siplin
Hill	Norman	Smith
Jones	Oelrich	Sobel
Joyner	Rich	Storms
Latvala	Richter	Thrasher
Lynn	Ring	Wise
Margolis	Sachs	

Nays—None

Vote after roll call:

Yea—Mr. President

CS for SB 900—A bill to be entitled An act relating to special 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 read the third time by title.

On motion by Senator Bennett, **CS for SB 900** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	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

Nays—None

CS for 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 code and ordinance violations to be cited to the responsible party; 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 read the third time by title.

Senator Detert moved the following amendment which failed to receive the required two-thirds vote:

Amendment 1 (402260) (with title amendment)—Between lines 23 and 24 insert:

Section 1. Paragraph (b) of subsection (1) of section 723.012, Florida Statutes, is amended to read:

723.012 Prospectus or offering circular.—The prospectus or offering circular, which is required to be provided by s. 723.011, must contain the following information:

(1) The front cover or the first page must contain only:

(b) The following statements in conspicuous type:

1. THIS PROSPECTUS CONTAINS VERY IMPORTANT INFORMATION REGARDING YOUR LEGAL RIGHTS AND YOUR FINANCIAL OBLIGATIONS IN LEASING A MOBILE HOME LOT. MAKE SURE THAT YOU READ THE ENTIRE DOCUMENT AND SEEK LEGAL ADVICE IF YOU HAVE ANY QUESTIONS REGARDING THE INFORMATION SET FORTH IN THIS DOCUMENT.

2. THE STATEMENTS CONTAINED HEREIN ARE ONLY SUMMARY IN NATURE. A PROSPECTIVE LESSEE SHOULD REFER TO ALL REFERENCES, ALL EXHIBITS HERETO, THE CONTRACT DOCUMENTS, AND SALES MATERIALS.

3. ORAL REPRESENTATIONS SHOULD NOT BE RELIED UPON AS CORRECTLY STATING THE REPRESENTATIONS OF THE PARK OWNER OR OPERATOR. REFER TO THIS PROSPECTUS (OFFERING CIRCULAR) AND ITS EXHIBITS FOR CORRECT REPRESENTATIONS.

4. UPON DELIVERY OF THE PROSPECTUS TO A PROSPECTIVE LESSEE, THE RENTAL AGREEMENT IS VOIDABLE BY THE LESSEE FOR A PERIOD OF 15 DAYS.

5. *UPON A CHANGE OF LAND USE, YOU MAY BE EVICTED AND ORDERED TO MOVE YOUR MOBILE HOME WITHIN 6 MONTHS OR FORFEIT YOUR MOBILE HOME.*

And the title is amended as follows:

Between lines 2 and 3 insert: amending s. 723.012, F.S.; requiring that additional information be provided in the prospectus or offering brochure which advises the customer of consequences if the land use is changed;

On motion by Senator Jones, **CS for SB 650** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	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

Nays—None

SB 652—A bill to be entitled An act relating to the liability of spaceflight entities; amending s. 331.501, F.S.; revising the definition of the term "spaceflight entity" to include certain manufacturers and suppliers for purposes of specified provisions for immunity from liability; 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.

—as amended April 27 was read the third time by title.

On motion by Senator Simmons, **SB 652** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Altman	Bennett
Alexander	Benacquisto	Bogdanoff

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

Nays—None

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 read the third time by title.

On motion by Senator Sachs, **SB 704** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	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

Nays—None

CO-INTRODUCERS

All Senators voting yea, not previously shown as co-introducers, were recorded as co-introducers of **SB 704**.

HB 4033—A bill to be entitled An act relating to the Florida Industrial Development Corporation; repealing provisions of chapter 289, F.S., relating to the Florida Industrial Development Corporation; amending ss. 212.08, 220.183, 220.62, 440.491, and 658.67, F.S.; deleting references to conform to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Lynn, **HB 4033** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Storms	Thrasher	Wise
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Nays—None

SPECIAL ORDER CALENDAR

Consideration of **CS for CS for SB 830** and **CS for CS for SB 818** was deferred.

On motion by Senator Benacquisto—

CS for 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; authorizing the court to 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 read the second time by title.

Senator Benacquisto moved the following amendment which was adopted:

Amendment 1 (512344) (with title amendment)—Delete line 50 and insert:

(c) If a judge finds reasonable grounds to

And the title is amended as follows:

Delete lines 4 and 5 and insert: Act”; amending s. 948.06, F.S.; authorizing a judge, after making a certain finding, to issue

Pursuant to Rule 4.19, **CS for SB 844** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

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.

WHEREAS, the right of parents to direct the upbringing and education of their children is a fundamental right protected by the Constitutions of the United States and the State of Florida, and

WHEREAS, our nation has historically relied first and foremost on parents to meet the real and constant needs of children, and

WHEREAS, the interests of children are best served when parents are free to make childrearing decisions about education, religion, and other areas of a child’s life without state interference, and

WHEREAS, the United States Supreme Court in *Wisconsin v. Yoder* held that “This primary role of the parents in the upbringing of their children is now established beyond debate as an enduring American tradition,” and

WHEREAS, the United States Supreme Court in *Troxel v. Granville* produced six different opinions on the nature and enforceability of parental rights under the United States Constitution, creating confusion and ambiguity about the fundamental nature of parental rights in the laws and society of the several states, and

WHEREAS, a number of members of Congress have introduced joint resolutions that propose an amendment to the United States Constitution to prevent erosion of the enduring American tradition of treating parental rights as fundamental rights, commonly referred to as the Parental Rights Amendment, and

WHEREAS, the Parental Rights Amendment will add explicit text to the Constitution of the United States to forever protect the rights of parents as they are now enjoyed, without substantive change to current state or federal laws respecting these rights, and

WHEREAS, such enumeration of these rights in the text of the United States Constitution will preserve them from being infringed upon by the shifting ideologies and interpretations of the United States Supreme Court, NOW, THEREFORE,

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

That the Florida Legislature respectfully petitions the Congress of the United States to propose to the states an amendment to the Constitution of the United States to read as follows:

ARTICLE ____

Section 1. The liberty of parents to direct the upbringing and education of their children is a fundamental right.

Section 2. Neither the United States nor any State shall infringe upon this right without demonstrating that its governmental interest as applied to the person is of the highest order and not otherwise served.

Section 3. No treaty may be adopted nor shall any source of international law be employed to supersede, modify, interpret, or apply to the rights guaranteed by this article.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time in full. On motion by Senator Flores, **SM 954** was adopted and certified to the House. The vote on adoption was:

Yeas—38

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

Nays—None

Vote after roll call:

Nay—Rich

Yea to Nay—Braynon, Joyner, Smith, Sobel

SENATOR FASANO PRESIDING

On motion by Senator Detert—

CS for CS for 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. 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; amending s. 288.1168, F.S.; updating obsolete references to the Department of Commerce; 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; amending s. 469.002, F.S.; conforming a cross-reference to changes made by the act; repealing s. 469.003(2)(b), F.S., relating to obsolete provisions governing the licensure of asbestos surveyors; repealing s. 39.0015, F.S., relating to child abuse prevention training in the district school system; repealing s. 39.305, F.S., relating to the development by the Department of Children and Family Services of a model plan for community intervention and treatment in intrafamily sexual abuse cases; repealing ss. 39.311, 39.312, 39.313, 39.314, 39.315, 39.316, 39.317, and 39.318, F.S., relating to the Family Builders Program; repealing s. 39.816, F.S., relating to authorization for pilot and demonstration projects; repealing s. 39.817, F.S., relating to a foster care privatization demonstration project; repealing s. 383.0115, F.S., relating to the Commission on Marriage and Family Support Initiatives; repealing s. 393.22, F.S., relating to financial commitment to community services programs; repealing s. 393.503, F.S., relating to respite and family care subsidy expenditures and funding recommendations; repealing s. 394.922, F.S., relating to constitutional requirements regarding long-term control, care, and treatment of sexually violent predators; repealing s. 402.3045, F.S., relating to a requirement that the Department of Children and Family Services adopt distinguishable definitions of child care programs by rule; repealing s. 402.50, F.S., relating to the development of administrative infrastructure standards by the Department of Children and Family Services; repealing s. 402.55, F.S., relating to the management fellows program; repealing s. 409.1672, F.S., relating to performance incentives for department employees with respect to the child welfare system; repealing s. 409.1673, F.S., relating to legislative findings regarding the foster care system and the development of alternate care plans; repealing s. 409.1685, F.S., relating to an annual report to the Legislature by the Department of Children and Family Services with respect to children in foster care; repealing ss. 409.801 and 409.802, F.S., relating to the

Family Policy Act; repealing s. 409.803, F.S., relating to pilot programs to provide shelter and foster care services to dependent children; amending ss. 20.195, 39.00145, 39.0121, 39.301, 39.3031, 49.011, 381.006, 381.0072, 390.01114, 409.1685, 411.01013, 753.03, and 877.22, F.S.; conforming references to changes made by the act; repealing s. 288.386, F.S., relating to the Florida-Caribbean Basin Trade Initiative; repealing s. 288.9618, F.S., which relates to an economic development program for microenterprises; repealing s. 288.982, F.S., which relates to a public records requirement for certain records relating to the United States Department of Defense Base Realignment and Closure 2005 process; repealing s. 409.946, F.S., which relates to the Inner City Redevelopment Review Panel; amending ss. 288.012 and 311.07, F.S.; revising requirements for the operating plans of the state's foreign offices and the use of program funds of the Florida Seaport Transportation and Economic Development Program, to delete provisions relating to the Florida Trade Data Center; 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 of Children and Family Services; providing an effective date.

—was read the second time by title.

Senator Detert moved the following amendment which was adopted:

Amendment 1 (100696) (with title amendment)—Delete line 1402 and insert: 255.555, 255.556, 255.557, 255.558, 255.559, 255.56,

And the title is amended as follows:

Delete line 74 and insert: repealing ss. 255.551, 255.552, 255.553, 255.5535, 255.555, 255.556, 255.557, 255.558, 255.559, 255.56, 255.561, 255.562, and 255.563, F.S., relating to the

MOTION

On motion by Senator Bennett, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Bennett moved the following amendment which was adopted:

Amendment 2 (134066) (with title amendment)—Between lines 1693 and 1694 insert:

Section 59. *Subsection (8) of section 14.31, Florida Statutes, is repealed.*

And the title is amended as follows:

Delete line 142 and insert: Services; 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.

Pursuant to Rule 4.19, **CS for CS for SB 1346** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Bogdanoff—

CS for CS for SB 1196—A bill to be entitled An act relating to construction liens; amending s. 713.10, F.S.; specifying that a lessor's interest in property is not subject to a construction lien for improvements made by a lessee if certain documents containing specific information and meeting certain criteria are recorded in the official records of the county before the recording of a notice of commencement; authorizing certain contractors and lienors to demand that a lessor serve verified copies of a lease prohibiting liability for improvements made by a lessee; subjecting the interest of a lessor to a specified lien for failing to serve such verified copies or serving a false or fraudulent copy; requiring that the demand include a specified warning; amending s. 713.13, F.S.; revising the form for notice of commencement to include information relating to the obligations of a lessee who contracts for improvements to property; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1196** was placed on the calendar of Bills on Third Reading.

CS for SCR 4—A concurrent resolution urging Congress to call a convention for the purpose of proposing amendments to the Constitution of the United States to achieve and maintain a balanced federal budget.

WHEREAS, fiscal discipline and economic integrity have been core principles of American governance, and

WHEREAS, the American people have historically demanded the same prudent, responsible, and intellectually honest financial behavior from their elected representatives as ultimately compels individual behavior, and

WHEREAS, it is the firm conviction of the Legislature of the State of Florida that it is wrong to fund the prosperity of the present generation by robbing future Americans of their own, and

WHEREAS, mortgaging the birthright of our children and grandchildren is a dangerous departure from traditional American values which threatens to permanently undermine the strength of our nation, and

WHEREAS, in the 8 months between May 1, 2010, and December 31, 2010, the national debt grew by more than \$1 trillion, and as of April 1, 2011, the total public debt outstanding for the United States was \$14,251,174,516,308, and

WHEREAS, Congress has voted to raise the debt limit 10 times since 2001, and the United States Secretary of the Treasury has called on the Congress to immediately consider voting to raise it again, and

WHEREAS, our debt is owed increasingly to the governments of foreign nations, not to the citizens of the United States; therefore, our wealth is transferred to others and will not be available to supply the means for America's future growth and prosperity, and

WHEREAS, this generation will bequeath to its children one of the world's most indebted industrial democracies, and

WHEREAS, high federal deficits cause increasingly high payments for debt interest in the future, make future borrowing more costly, reduce investment activity, and thus reduce the size of the future economy, and

WHEREAS, the people of Florida recognized the wisdom of fiscal discipline and enshrined in its State Constitution the requirement for a balanced budget to place a prudent limit on the tendencies of government, and

WHEREAS, the Florida Legislature has made fiscally responsible decisions, maintaining a balanced budget and saving the citizens of this state from crippling deficits, massive debt burdens, and bankruptcy, and

WHEREAS, we the Legislature of the State of Florida call for the Constitution of the United States to be amended to require the Federal Government to operate with fiscal responsibility, common sense, and within the revenues granted to it by the people, and

WHEREAS, the Federal Government has for too long relied on revenue increases and borrowing against our future, rather than on prudent spending decisions within the limits of current revenues, and

WHEREAS, lasting resolution of this nation's budget deficit will be achieved only by addressing the spending habits of our Federal Government, not by increasing the tax burden under which our citizens already labor, and

WHEREAS, Article V of the Constitution of the United States makes provision for amending the Constitution on the application of the legislatures of two-thirds of the several states, calling a convention for proposing amendments that shall be valid to all intents and purposes if ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by Congress, NOW, THEREFORE,

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

That the Legislature of the State of Florida, with all due respect and great reluctance, does hereby make application to the Congress of the United States pursuant to Article V of the Constitution of the United

States to call a convention for the sole purpose of proposing an amendment to the Constitution of the United States to achieve and maintain a balanced budget by, among other things:

- (1) Requiring that total outlays not exceed total receipts for any fiscal year;
- (2) Requiring the setting of a fiscal year total outlay limit;
- (3) Prohibiting increases in taxes or other revenue sources;
- (4) Providing that, for reasons other than war or military conflict, the limits of this amendment may be waived by law for any fiscal year if approved by at least two-thirds of both houses of Congress;
- (5) Allowing for provisions of the amendment to take effect within specified time periods;
- (6) Providing for the waiver of the provisions of the amendment for any fiscal year in which a declaration of war is in effect or the United States is engaged in military conflict that causes an imminent and serious military threat to national security; and
- (7) Allowing for congressional enforcement.

BE IT FURTHER RESOLVED that this concurrent resolution supersedes all previous memorials and concurrent resolutions applying to the Congress of the United States to call a convention for the purpose of proposing a balanced budget amendment to the Constitution of the United States, including Senate Memorial 234 and House Memorial 2801, both passed in 1976, and were superseded, revoked, and withdrawn in 1988 by Senate Memorial 302, and Senate Concurrent Resolution 10, passed in 2010, and that such previous memorials and resolutions are hereby revoked and withdrawn, nullified, and superseded to the same effect as if they had never been passed.

BE IT FURTHER RESOLVED that this concurrent resolution is revoked and withdrawn, nullified, and superseded to the same effect as if it had never been passed, and retroactive to the date of passage, if it is used for the purpose of calling a convention or used in support of conducting a convention to amend the Constitution of the United States for any purpose other than requiring a balanced federal budget.

BE IT FURTHER RESOLVED that a copy of this concurrent resolution be dispatched to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of the Florida delegation to the United States Congress, and to the presiding officers of each house of the several state legislatures.

—was read the second time in full.

On motion by Senator Haridopolos, **CS for SCR 4** was adopted and certified to the House. The vote on adoption was:

Yea—31

Mr. President	Fasano	Negron
Alexander	Flores	Norman
Altman	Gaetz	Oelrich
Benacquisto	Garcia	Richter
Bennett	Gardiner	Ring
Bogdanoff	Hays	Simmons
Dean	Jones	Storms
Detert	Latvala	Thrasher
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	
Evers	Montford	

Nays—7

Braynon	Rich	Sobel
Hill	Sachs	
Joyner	Smith	

Vote after roll call:

Yea—Siplin

CO-INTRODUCERS

All Senators voting yea, not previously shown as co-introducers, were recorded as co-introducers of **CS for SCR 4**.

THE PRESIDENT PRESIDING

By direction of the President, the rules were waived and the Senate reverted to—

BILLS ON THIRD READING

CS for CS for 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. 215.5595, F.S.; authorizing an insurer to renegotiate the terms a surplus note issued before a certain date; providing limitations; 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. 626.7452, F.S.; deleting an exception relating to the examination of managing general agents; amending s. 626.852, F.S.; providing an exemption from licensure as an adjuster to persons who provide mortgage-related claims adjusting services to certain institutions; providing an exception to the exemption; 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. 627.0613(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; authorizing the office to disapprove a rate filing because the coverage is inadequate or the insurer charges a higher premium due to certain discriminatory factors; extending the expiration date for making a “file and use” filing;

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; providing for the submission of additional or supplementary information pursuant to a rate filing; amending s. 627.06281, F.S.; providing limitations on fees charged for use of the public hurricane model; amending s. 627.0629, F.S.; 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.; requiring the Citizens Property Insurance Corporation's logo to include certain language; requiring policies issued by the corporation to include a provision that prohibits policyholders from engaging the services of a public adjuster until after the corporation has tendered an offer; limiting an adjuster's fee for a claim against the corporation; 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; limiting coverage for damage from sinkholes after a certain date and providing that the corporation must require repair of the property as a condition of any payment; prohibiting board members from voting on certain measures; exempting sinkhole coverage from the corporation's annual rate increase requirements; 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 non-renewal, 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; requiring the insurer to offer coverage under which the insurer is obligated to pay replacement costs; authorizing the insurer to offer coverage that limits 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 sink-

hole 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; requiring the professional engineer responsible for monitoring sinkhole repairs to issue a report and certification to the property owner and file such report with the court; providing that the act does not create liability for an insurer based on a representation or certification by the engineer; 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. 627.711, F.S.; deleting the requirement that the insurer pay for verification of a uniform mitigation verification form that the insurer requires; amending s. 627.712, F.S.; conforming provisions to changes made by the act; providing for applicability; providing effective dates.

—as amended April 27 was read the third time by title.

Senator Richter moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (885590) (with title amendment)—Delete line 3175 and insert: the terms of the policy. *If a covered building suffers a sinkhole loss or a catastrophic ground cover collapse, the insured must repair such damage or loss in accordance with the insurer's professional engineer's recommended repairs. However, if the insurer's professional engineer determines that the repair cannot be completed within policy limits, the insurer must pay to complete the repairs recommended by the insurer's professional engineer or tender the policy limits to the policyholder.*

And the title is amended as follows:

Delete line 204 and insert: testing for sinkhole activity; requiring the insurer to provide repairs in accordance with the insurer's engineer's recommendations or tender the policy limits to the policyholder; providing a time

MOTION

On motion by Senator Smith, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Smith moved the following amendment which was adopted by two-thirds vote:

Amendment 2 (793532)—Delete lines 3615-3621 and insert:

Section 34. *The amendments made by this act to ss. 627.706-627.7074, Florida Statutes, and the accompanying legislative findings related to those statutes, which affect procedural rights, do not apply to insurance claims reported to an insurer before February 1, 2011, but do apply to claims reported to an insurer on or after that date. Amendments made by this act to ss. 627.706-627.7074, Florida Statutes, and the accompanying legislative findings related to those statutes, which affect substantive rights, apply to claims reported to an insurer on or after July 1, 2011.*

SENATOR BENNETT PRESIDING

THE PRESIDENT PRESIDING

On motion by Senator Richter, **CS for CS for CS for SB 408** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—25

Mr. President	Gardiner	Richter
Alexander	Hays	Ring
Bennett	Hill	Simmons
Bogdanoff	Jones	Siplin
Dean	Latvala	Smith
Detert	Lynn	Thrasher
Diaz de la Portilla	Montford	Wise
Evers	Negron	
Gaetz	Oelrich	

Nays—12

Altman	Fasano	Margolis
Benacquisto	Flores	Rich
Braynon	Garcia	Sobel
Dockery	Joyner	Storms

MOTIONS RELATING TO
COMMITTEE MEETINGS

On motion by Senator Thrasher, the rules were waived and the Special Order Calendar Group was granted permission to meet this day from 5:00 p.m. until completion.

MOTIONS RELATING TO
COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote **CS for SB 920** was withdrawn from the Committee on Agriculture; **CS for SB 1340** was withdrawn from the Committee on Banking and Insurance; **CS for SB 332**, **CS for CS for SB 1460**, and **CS for SB 1772** were withdrawn from the Committee on Community Affairs; **SB 1046** was withdrawn from the Committee on Governmental Oversight and Accountability; **CS for SB 1922** was withdrawn from the Committee on Health Regulation; **SB 1918** was withdrawn from the Committee on Judiciary; **CS for SB 1332** was withdrawn from the Committee on Rules.

RECESS

On motion by Senator Thrasher, the Senate recessed at 11:47 a.m. to reconvene at 1:30 p.m. or upon call of the President.

AFTERNOON SESSION

The Senate was called to order by President Haridopolos at 1:30 p.m. A quorum present—39:

Mr. President	Flores	Norman
Alexander	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

SPECIAL ORDER CALENDAR

On motion by Senator Fasano, the Senate resumed consideration of—

CS for CS for 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 for 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; 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.; revising the list of entities that are not required to register as a pain-management clinic; deleting certain requirements for a physician to practice medicine in a pain-management clinic; requiring a physician, an advanced registered nurse practitioner, or a physician assistant to perform an appropriate medical examination of a patient on the same day that the physician dispenses or prescribes a controlled substance to the patient at a pain-management clinic; 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 any person to register or attempt 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.; providing an exemption from the requirement that all privately owned pain-management clinics, facilities, or offices that advertise in any medium for any type of pain-management services, or employ an osteopathic physician who is primarily engaged in the treatment of pain by prescribing or dispensing controlled substance medications, must register with the Department of Health; requiring a physician, an advanced registered nurse practitioner, or a physician assistant to perform an appropriate medical examination of a patient on the same day that the physician dispenses or prescribes a controlled substance to the patient at a pain-management clinic; 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 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 a felony that involves a person who acquires or obtains possession of a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge; providing that a licensed pharmacist or other person employed by or at a pharmacy is not subject to disciplinary action for reporting; 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 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 for a patient under certain circumstances; requiring a prescribing physician to indicate on the original prescription any deviation of the recognized manufacturer's recommended use of a controlled substance; 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 a provision requiring that administrative costs of the prescription drug monitoring program be 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.; requiring the Department of Health to disclose confidential and exempt information pertaining to the prescription drug monitoring program to the Attorney General and designee when working on Medicaid fraud cases and Medicaid investigations involving prescribed controlled substances or when the Attorney General has initiated a review of specific identifiers that warrant a Medicaid investigation regarding prescribed controlled substances; prohibiting the Attorney General's Medicaid investigators from direct access to the prescription drug monitoring program's database; 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 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; prohi-

biting 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 not medically necessary; amending s. 893.138, F.S.; providing circumstances in which a pain-management clinic may be declared a public nuisance; providing definitions; requiring the Board of Pharmacy to create a list of opioid analgesic drugs; providing requirements for the list of opioid analgesic drugs; providing an effective date.

—which was previously considered April 27 with pending **Amendment 1 (229300)**.

SENATOR BENNETT PRESIDING

THE PRESIDENT PRESIDING

Pending **Amendment 1 (229300)** by Senator Bogdanoff failed.

Senator Bogdanoff moved the following amendments which were adopted:

Amendment 2 (491388) (with directory and title amendments)—Delete lines 501-524 and insert:

(1) REGISTRATION.—

(a) All privately owned pain-management clinics, facilities, or offices, hereinafter referred to as “clinics,” which advertise in any medium for any type of pain-management services, or employ a physician who is primarily engaged in the treatment of pain by prescribing or dispensing controlled substance medications, must register with the department unless:

1. That clinic is licensed as a facility pursuant to chapter 395;
2. The majority of the physicians who provide services in the clinic primarily provide surgical services or *interventional pain procedures of the type routinely billed using surgical codes*;
3. The clinic is owned by a publicly held corporation whose shares are traded on a national exchange or on the over-the-counter market and whose total assets at the end of the corporation's most recent fiscal quarter exceeded \$50 million;
4. The clinic is affiliated with an accredited medical school at which training is provided for medical students, residents, or fellows;
5. The clinic does not prescribe or dispense controlled substances for the treatment of pain; or
6. The clinic is owned by a corporate entity exempt from federal taxation under 26 U.S.C. s. 501(c)(3).

(f) If the department finds *upon a hearing by the probable cause panel of the appropriate board* that a pain-management clinic does not meet the requirement of paragraph (d) or is owned, directly or indirectly, by a person meeting any criteria listed in paragraph (e), the department shall revoke the certificate of registration previously issued by the department. As determined by rule, the department may grant an exemption to denying a registration or revoking a previously issued registration if more than 10 years have elapsed since adjudication. As used in this subsection, the term “convicted” includes an adjudication of guilt following a plea of guilty or nolo contendere or the forfeiture of a bond when charged with a crime.

(g) The department may revoke the clinic's certificate of registration and prohibit all physicians associated with that pain-management clinic from practicing at that clinic location based upon an annual inspection and evaluation of the factors described in subsection (3) *and upon a final determination by the probable cause panel of the appropriate board that any physician associated with that pain-management clinic knew or*

should have known of any violations of the factors described in subsection (3).

(h)1. If the registration of a pain-management clinic is revoked or suspended, the designated physician of the pain-management clinic, the owner or lessor of the pain-management clinic property, the manager, and the proprietor shall cease to operate the facility as a pain-management clinic as of the effective date of the suspension or revocation.

2. *Notwithstanding subparagraph 1., the clinic's registration shall not be revoked or suspended if the clinic, within 24 hours after notification of suspension or revocation, appoints another designated physician who has a full, active, and unencumbered license under this chapter or chapter 459 to operate a pain-management clinic.*

(k) If the clinic's registration is revoked, any person named in the registration documents of the pain-management clinic, including persons owning or operating the pain-management clinic, may not, as an individual or as a part of a group, apply to operate a pain-management clinic for 5 years after the date the registration is revoked *upon a finding by the probable cause panel of the appropriate board, and an opportunity to be heard, that the persons operating such clinic knew or should have known of violations causing such revocation.*

And the directory clause is amended as follows:

Delete line 496 and insert:

Section 7. Paragraphs (a), (f), (g), (h), and (k) of subsection (1) and paragraphs

And the title is amended as follows:

Delete line 42 and insert: as a pain-management clinic; authorizing the department to revoke the certificate of registration of a pain-management clinic based upon a finding by a probable cause panel of a board that the clinic does not meet certain requirements; authorizing the department to revoke a clinic's certificate of registration and prohibit all physicians associated with that clinic from practicing at that clinic location based upon an annual inspection and evaluation and upon a final determination by the probable cause panel of the appropriate board that any physician associated with that pain-management clinic knew or should have known of certain violations; prohibiting the department from revoking or suspending a clinic's registration if the clinic appoints another designated physician; prohibiting persons owning or operating a pain-management clinic that has a revoked registration from applying to operate another pain-management clinic within a specified number of years upon a finding by the probable cause panel of the appropriate board, and an opportunity to be heard, that the persons operating such clinic knew or should have known of violations causing such revocation; deleting certain

Amendment 3 (351822) (with title amendment)—Delete lines 502-507 and insert:

(a) *"Pain-management clinic," hereinafter referred to as "clinic," means a publicly or privately owned facility where in any month a majority of patients are prescribed opioids, benzodiazepines, barbiturates, or carisoprodol, for the treatment of chronic nonmalignant pain. "Chronic nonmalignant pain" means pain unrelated to cancer or rheumatoid arthritis which persists beyond the usual course of disease or the injury that is the cause of the pain or more than 90 days after surgery. All privately owned pain-management clinics, facilities, or offices, hereinafter referred to as "clinics," which advertise in any medium for any type of pain-management services, or employ a physician who is primarily engaged in the treatment of pain by prescribing or dispensing controlled substance medications, must register with the department unless:*

And the title is amended as follows:

Delete line 40 and insert: their practice; amending s. 458.3265, F.S.; redefining the term "pain-management clinic" and defining the term "chronic nonmalignant pain"; revising

Senator Fasano moved the following amendments which were adopted:

Amendment 4 (415758)—Delete lines 514-517 and insert: 3. The clinic is owned, *directly or indirectly*, by a publicly held corporation

whose shares are traded on a national exchange or on the over-the-counter market and whose total assets at the end of the corporation's most recent fiscal quarter exceeded \$50 million;

Amendment 5 (175812) (with title amendment)—Delete lines 653-771 and insert:

Section 11. Paragraph (a) of subsection (1) of section 459.0081, Florida Statutes, is amended to read:

459.0081 Physician survey.—

(1) Each person who applies for licensure renewal as a physician under chapter 458 or this chapter must, in conjunction with the renewal of such license under procedures adopted by the Department of Health and in addition to any other information that may be required from the applicant, furnish the following to the Department of Health in a physician survey:

(a) Licensee information, including, but not limited to:

1. Frequency and geographic location of practice within the state.
2. Practice setting.
3. Percentage of time spent in direct patient care.
4. Anticipated change to license or practice status.
5. Areas of specialty or certification.

6. *Whether the department has ever approved or denied the physician's registration for access to a patient's information in the database of the prescription drug monitoring program.*

7. *Whether the physician uses the prescription drug monitoring program with patients in his or her medical practice.*

Section 12. Subsection (3) is added to section 459.0082, Florida Statutes, to read:

459.0082 Analysis of survey results; report.—

(3) *By November 1 of each year, the Department of Health shall provide nonidentifying information to the Implementation and Oversight Task Force of the prescription drug monitoring program regarding the number of physicians who are registered with the prescription drug monitoring program and who also use the database from the prescription drug monitoring program for their patients in their medical practice.*

Section 13. Paragraphs (f) and (g) are added to subsection (1), paragraphs (e) and (f) are added to subsection (2), and paragraphs (d) and (e) are added to subsection (3) of section 459.013, Florida Statutes, to read:

459.013 Penalty for violations.—

(1) Each of the following acts constitutes a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084:

(f) *Failing to perform a physical examination of a patient on the same day that the osteopathic physician dispenses or prescribes a controlled substance to the patient at a pain-management clinic occurring three or more times within a 6-month period, or failing to perform a physical examination on three or more different patients on the same day that the osteopathic physician dispenses or prescribes a controlled substance to each patient at a pain-management clinic within a 6-month period.*

(g) *Prescribing or dispensing in excess of a 72-hour dose of controlled substances at a pain-management clinic for the treatment of chronic nonmalignant pain of a patient occurring three or more times within a 6-month period without documenting in the patient's record the reason that such dosage is within the standard of care. For the purpose of this paragraph, the standard of care is set forth in rule 64B15-14.005(3), Florida Administrative Code.*

(2) Each of the following acts constitutes a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083:

(e) *Failing to perform a physical examination of a patient on the same day that the osteopathic physician dispenses or prescribes a controlled substance to the patient at a pain-management clinic occurring two times within a 6-month period, or failing to perform a physical examination on two different patients on the same day that the osteopathic physician dispenses or prescribes a controlled substance to each patient at a pain-management clinic within a 6-month period.*

(f) *Prescribing or dispensing in excess of a 72-hour dose of controlled substances at a pain-management clinic for the treatment of chronic nonmalignant pain of a patient occurring two times within a 6-month period without documenting in the patient's record the reason that such dosage is within the standard of care. For the purpose of this paragraph, the standard of care is set forth in rule 64B15-14.005(3), Florida Administrative Code.*

(3) Each of the following constitutes a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083:

(d) *A first offense of failing to perform a physical examination of a patient on the same day that the osteopathic physician dispenses or prescribes a controlled substance to the patient at a pain-management clinic.*

(e) *A first offense of failing to document in a patient's record the reason that such dosage is within the standard of care for prescribing or dispensing in excess of a 72-hour dose of controlled substances at a pain-management clinic for the treatment of chronic nonmalignant pain. For the purpose of this paragraph, the standard of care is set forth in rule 64B15-14.005(3), Florida Administrative Code.*

Section 14. Paragraph (a) of subsection (1) and paragraphs (a) and (c) of subsection (2) of section 459.0137, Florida Statutes, are amended, and paragraphs (f) and (g) are added to subsection (5) of that section, to read:

459.0137 Pain-management clinics.—

(1) REGISTRATION.—

(a) All privately owned pain-management clinics, facilities, or offices, hereinafter referred to as “clinics,” which advertise in any medium for any type of pain-management services, or employ an osteopathic physician who is primarily engaged in the treatment of pain by prescribing or dispensing controlled substance medications, must register with the department unless:

1. That clinic is licensed as a facility pursuant to chapter 395;
2. The majority of the physicians who provide services in the clinic primarily provide surgical services or *interventional pain procedures of the type routinely billed using surgical codes*;
3. The clinic is owned by a publicly held corporation whose shares are traded on a national exchange or on the over-the-counter market and whose total assets at the end of the corporation's most recent fiscal quarter exceeded \$50 million;
4. The clinic is affiliated with an accredited medical school at which training is provided for medical students, residents, or fellows;
5. The clinic does not prescribe or dispense controlled substances for the treatment of pain; or
6. The clinic is owned by a corporate entity exempt from federal taxation under 26 U.S.C. s. 501(c)(3).

(2) PHYSICIAN RESPONSIBILITIES.—These responsibilities apply to any osteopathic physician who provides professional services in a pain-management clinic that is required to be registered in subsection (1).

(a) An osteopathic physician may not practice medicine in a pain-management clinic, as described in subsection (4), if:

1. The pain-management clinic is not registered with the department as required by this section. ~~or~~

2. ~~Effective July 1, 2012, the physician has not successfully completed a pain-medicine fellowship that is accredited by the Accreditation Council for Graduate Medical Education or the American Osteopathic~~

~~Association or a pain-medicine residency that is accredited by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association or, prior to July 1, 2012, does not comply with rules adopted by the board.~~

Any physician who qualifies to practice medicine in a pain-management clinic pursuant to rules adopted by the Board of Osteopathic Medicine as of July 1, 2012, may continue to practice medicine in a pain-management clinic as long as the physician continues to meet the qualifications set forth in the board rules. An osteopathic physician who violates this paragraph is subject to disciplinary action by his or her appropriate medical regulatory board.

(c) An osteopathic physician, an advanced registered nurse practitioner, or a physician assistant must perform an appropriate medical ~~a~~ physical examination of a patient on the same day that the physician ~~he~~ or she dispenses or prescribes a controlled substance to a patient at a pain-management clinic. If the osteopathic physician prescribes or dispenses more than a 72-hour dose of controlled substances for the treatment of chronic nonmalignant pain, the osteopathic physician must document in the patient's record the reason for *which prescribing or dispensing a dosage in excess of a 72-hour dose of controlled substances for the treatment of chronic nonmalignant pain is within the standard of care for prescribing or dispensing that quantity.*

(5) PENALTIES; ENFORCEMENT.—

(f) A licensee or other person who serves as the designated physician of a pain-management clinic as defined in s. 458.3265 or s. 459.0137 and registers a pain-management clinic through intentional misrepresentation or fraud or procures or attempts to procure the registration of a pain-management clinic for any other person by making or causing to be made any false or fraudulent representation commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(g) Any person who registers a pain-management clinic through misrepresentation or fraud or who procures or attempts to procure the registration of a pain-management clinic for any other person by making or causing to be made any false or fraudulent representation, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

And the title is amended as follows:

Delete lines 62-71 and insert: this state; amending s. 459.0081, F.S.; revising the information that must be furnished in a physician survey to the Department of Health in order to renew a license to practice osteopathic medicine; amending s. 459.0082, F.S.; requiring the department to provide certain nonidentifying information to the Implementation and Oversight Task Force of the prescription drug monitoring program; amending s. 459.013, F.S.; providing additional penalties; amending s. 459.0137, F.S.; providing an exemption from the requirement that all privately owned pain-management clinics, facilities, or offices that advertise in any medium for any type of pain-management services, or employ an osteopathic physician who is primarily engaged in the treatment of pain by prescribing or dispensing controlled substance medications, must register with the Department of Health; revising the responsibilities of an osteopathic physician who provides professional services in a pain-management clinic; requiring an osteopathic physician, an advanced registered

Senator Bogdanoff moved the following amendment which was adopted:

Amendment 6 (853130) (with directory and title amendments)—Delete lines 715-739 and insert:

(1) REGISTRATION.—

(a) “Pain-management clinic,” hereinafter referred to as “clinic,” means a publicly or privately owned facility where in any month a majority of patients are prescribed opioids, benzodiazepines, barbiturates, or carisoprodol for the treatment of chronic nonmalignant pain. “Chronic nonmalignant pain” means pain unrelated to cancer or rheumatoid arthritis which persists beyond the usual course of a disease or the injury that is the cause of the pain or more than 90 days after surgery. All privately owned pain-management clinics, facilities, or offices, hereinafter referred to as “clinics,” which advertise in any medium for any type

~~of pain-management services, or employ an osteopathic physician who is primarily engaged in the treatment of pain by prescribing or dispensing controlled substance medications, must register with the department unless:~~

1. That clinic is licensed as a facility pursuant to chapter 395;
2. The majority of the physicians who provide services in the clinic primarily provide surgical services *or interventional pain procedures of the type routinely billed using surgical codes*;
3. The clinic is owned by a publicly held corporation whose shares are traded on a national exchange or on the over-the-counter market and whose total assets at the end of the corporation's most recent fiscal quarter exceeded \$50 million;
4. The clinic is affiliated with an accredited medical school at which training is provided for medical students, residents, or fellows;
5. The clinic does not prescribe or dispense controlled substances for the treatment of pain; or
6. The clinic is owned by a corporate entity exempt from federal taxation under 26 U.S.C. s. 501(c)(3).

(f) If the department finds *upon a hearing by the probable cause panel of the appropriate board* that a pain-management clinic does not meet the requirement of paragraph (d) or is owned, directly or indirectly, by a person meeting any criteria listed in paragraph (e), the department shall revoke the certificate of registration previously issued by the department. As determined by rule, the department may grant an exemption to denying a registration or revoking a previously issued registration if more than 10 years have elapsed since adjudication. As used in this subsection, the term "convicted" includes an adjudication of guilt following a plea of guilty or nolo contendere or the forfeiture of a bond when charged with a crime.

(g) The department may revoke the clinic's certificate of registration and prohibit all physicians associated with that pain-management clinic from practicing at that clinic location based upon an annual inspection and evaluation of the factors described in subsection (3) *and upon a final determination by the probable cause panel of the appropriate board that any physician associated with that pain-management clinic knew or should have known of any violations of the factors described in subsection (3).*

(h)1. If the registration of a pain-management clinic is revoked or suspended, the designated physician of the pain-management clinic, the owner or lessor of the pain-management clinic property, the manager, and the proprietor shall cease to operate the facility as a pain-management clinic as of the effective date of the suspension or revocation.

2. *Notwithstanding subparagraph 1., the clinic's registration shall not be revoked or suspended if the clinic, within 24 hours after notification of suspension or revocation, appoints another designated physician who has a full, active, and unencumbered license under this chapter or chapter 458 to operate a pain-management clinic.*

(k) If the clinic's registration is revoked, any person named in the registration documents of the pain-management clinic, including persons owning or operating the pain-management clinic, may not, as an individual or as a part of a group, make application for a permit to operate a pain-management clinic for 5 years after the date the registration is revoked *upon a finding by the probable cause panel of the appropriate board, and an opportunity to be heard, that the persons operating such clinic knew or should have known of violations causing such revocation.*

And the directory clause is amended as follows:

Delete line 710 and insert:

Section 12. Paragraphs (a), (f), (g), (h), and (k) of subsection (1) and paragraph

And the title is amended as follows:

Delete lines 63-71 and insert: additional penalties; amending s. 459.0137, F.S.; redefining the term "pain-management clinic" and de-

fining the term "chronic nonmalignant pain"; providing an exemption from the requirement that all privately owned pain-management clinics, facilities, or offices that advertise in any medium for any type of pain-management services, or employ an osteopathic physician who is primarily engaged in the treatment of pain by prescribing or dispensing controlled substance medications, must register with the Department of Health; authorizing the department to revoke the certificate of registration of a pain-management clinic based upon a finding by a probable cause panel of a board that the clinic does not meet certain requirements; authorizing the department to revoke a clinic's certificate of registration and prohibit all physicians associated with that clinic from practicing at that clinic location based upon an annual inspection and evaluation and upon a final determination by the probable cause panel of the appropriate board that any physician associated with that pain-management clinic knew or should have known of certain violations; prohibiting the department from revoking or suspending a clinic's registration if the clinic appoints another designated physician; prohibiting persons owning or operating a pain-management clinic that has a revoked registration from applying to operate another pain-management clinic within a specified number of years upon a finding by the probable cause panel of the appropriate board, and an opportunity to be heard, when the persons operating such clinic knew or should have known of violations causing such revocation; requiring a physician, an advanced registered

Senator Fasano moved the following amendments which were adopted:

Amendment 7 (796860) (with title amendment)—Delete lines 790-817 and insert:

(3)(a) *A licensed pharmacist may not knowingly fail to timely report to the local county sheriff's office the name of any person who obtains or attempts to obtain a substance controlled by s. 893.03 which the licensed pharmacist knows or reasonably should have known was obtained or attempted to be obtained from the pharmacy through any fraudulent method or representation. A licensed pharmacist who fails to make such a report within 24 hours after learning of the fraud or attempted fraud commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.*

(b) *A sufficient report of the fraudulent obtaining of or attempt to obtain a controlled substance under this subsection must contain, at a minimum, a copy of the prescription used or presented and a narrative, including all information available to the pharmacy regarding:*

1. *The transaction, such as the name and telephone number of the prescribing physician;*
2. *The name, description, and any personal identification information pertaining to the person presenting the prescription; and*
3. *All other material information, such as photographic or video surveillance of the transaction.*

A licensed pharmacist is not subject to disciplinary action for reporting under this subsection.

And the title is amended as follows:

Delete lines 87-100 and insert: 465.015, F.S.; prohibiting a licensed pharmacist from knowingly failing to report to the local county sheriff's office 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 a felony that involves a person who acquires or obtains possession of a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge; providing that a licensed pharmacist is not subject to disciplinary action for reporting; amending

Amendment 8 (780864) (with title amendment)—Delete lines 802-806 and insert:

(b) *A sufficient report of the fraudulent obtaining of or attempt to obtain a controlled substance under this subsection may contain, at a minimum, a copy of the prescription used or presented and a narrative, including all information available to the pharmacy regarding:*

And the title is amended as follows:

Delete line 94 and insert: suggested criteria for reporting the commission of a felony

Amendment 9 (548234) (with title amendment)—Between lines 828 and 829 insert:

Section 16. Paragraph (t) of subsection (2) of section 499.01, Florida Statutes, is amended to read:

499.01 Permits.—

(2) The following permits are established:

(t) *Health care clinic establishment permit.*—Effective January 1, 2009, a health care clinic establishment permit is required for the purchase of a prescription drug by a place of business at one general physical location that provides health care or veterinary services, which is owned and operated by a business entity that has been issued a federal employer tax identification number. For the purpose of this paragraph, the term “qualifying practitioner” means a licensed health care practitioner defined in s. 456.001, or a veterinarian licensed under chapter 474, who is authorized under the appropriate practice act to prescribe and administer a prescription drug.

1. An establishment must provide, as part of the application required under s. 499.012, designation of a qualifying practitioner who will be responsible for complying with all legal and regulatory requirements related to the purchase, recordkeeping, storage, and handling of the prescription drugs. In addition, the designated qualifying practitioner shall be the practitioner whose name, establishment address, and license number is used on all distribution documents for prescription drugs purchased or returned by the health care clinic establishment. Upon initial appointment of a qualifying practitioner, the qualifying practitioner and the health care clinic establishment shall notify the department on a form furnished by the department within 10 days after such employment. In addition, the qualifying practitioner and health care clinic establishment shall notify the department within 10 days after any subsequent change.

2. The health care clinic establishment must employ a qualifying practitioner at each establishment.

3. In addition to the remedies and penalties provided in this part, a violation of this chapter by the health care clinic establishment or qualifying practitioner constitutes grounds for discipline of the qualifying practitioner by the appropriate regulatory board.

4. The purchase of prescription drugs by the health care clinic establishment is prohibited during any period of time when the establishment does not comply with this paragraph.

5. A health care clinic establishment permit is not a pharmacy permit or otherwise subject to chapter 465. A health care clinic establishment that meets the criteria of a modified Class II institutional pharmacy under s. 465.019 is not eligible to be permitted under this paragraph.

6. This paragraph does not apply to the purchase of a prescription drug by a licensed practitioner under his or her license. A professional corporation or limited liability company composed of dentists and operating as authorized in s. 466.0285 may pay for prescription drugs obtained by a practitioner licensed under chapter 466, and the licensed practitioner is deemed the purchaser and owner of the prescription drugs.

And the title is amended as follows:

Delete line 103 and insert: dispense controlled substances; 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. 766.101,

Amendment 10 (741416) (with title amendment)—Delete lines 1134-1143 and insert: in Pharmacy (ASAP). The electronic system shall also comply with the Health Insurance Portability and Accountability Act (HIPAA) as it pertains to protected health information (PHI), electronic protected health information (EPHI), minimum requirements as established by the department for authentication of a practitioner who

requests information in the prescription drug monitoring program database and certification of the purpose for which information is requested, and all other relevant state and federal privacy and security laws and regulations. The department shall establish

And the title is amended as follows:

Delete lines 124-127 and insert: pharmacist; amending s. 893.055, F.S.; requiring that the prescription drug monitoring program comply with the minimum requirements established by the Department of Health; requiring the

Amendment 11 (892760) (with title amendment)—Between lines 1669 and 1670 insert:

Section 22. *The sum of \$1.75 million is appropriated from the General Revenue Fund to the Department of Health for the purpose of paying salaries and other administrative expenses necessary to carry out the implementation of the prescription drug monitoring program.*

And the title is amended as follows:

Delete line 172 and insert: the sharing of certain information; providing an appropriation; amending s.

Senator Bogdanoff moved the following amendment which failed:

Amendment 12 (840024)—Delete lines 1791-1810 and insert: substances. *This subsection requires a law enforcement officer to obtain a subpoena, court order, or search warrant in order to obtain access to or copies of such records.*

(5) Each person shall maintain a record ~~that contains which shall contain~~ a detailed list of controlled substances lost, destroyed, or stolen, if any; the kind and quantity of such controlled substances; and the date of the discovering of such loss, destruction, or theft. *If a person discovers the theft or loss of a controlled substance, such person shall report the theft or loss to a local county sheriff's office within 48 hours after the discovery of such theft or loss. A person who fails to report the theft or loss of a controlled substance under this subsection commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. However, a person who fails to report the theft or loss of a Schedule II controlled substance commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.*

(6) *The Legislature finds that the opinions rendered in State v. Carter, 23 So. 3d 798 (Fla. 1st DCA 2009), and State v. Tamulonis, 39 So. 3d 524 (Fla. 2nd DCA 2010), do not correctly construe*

Senator Fasano moved the following amendment:

Amendment 13 (811318) (with title amendment)—Delete lines 1794-1807 and insert:

(5) Each person shall maintain a record ~~that contains which shall contain~~ a detailed list of controlled substances lost, destroyed, or stolen, if any; the kind and quantity of such controlled substances; and the date of the discovering of such loss, destruction, or theft. *If a person discovers the theft or significant loss of a controlled substance, such person shall report the theft or significant loss to a local county sheriff's office within 48 hours after the discovery of such theft or loss. A person who fails to report the theft or significant loss of a controlled substance under this subsection commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. However, a person who fails to report the theft or loss of a Schedule II controlled substance commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.*

And the title is amended as follows:

Delete lines 194-196 and insert: amending s. 893.07, F.S.; requiring that a person report to the local sheriff's office the theft or significant loss of a controlled substance within a specified time;

Senator Fasano moved the following amendment to **Amendment 13** which was adopted:

Amendment 13A (709452)—Delete line 17 and insert: *theft or significant loss of a Schedule II controlled substance commits a*

Amendment 13 as amended was adopted.

Senator Fasano moved the following amendment which was adopted:

Amendment 14 (899940) (with title amendment)—Delete lines 1989-2035 and insert:

Section 26. Subsection (9) is added to section 465.025, Florida Statutes, to read:

465.025 Substitution of drugs.—

(9) *The board shall establish by rule a list of opioid drugs that incorporate tamper-resistant technology. Inclusion of a drug on the list does not require that the drug bear a labeling claim with respect to reduction of tampering, abuse, or abuse potential at the time of listing. The board shall make a determination whether to include a drug on the list based on a submission of evidence by the drug manufacturer or distributor that the drug:*

(a) *Incorporates a tamper-resistance technology; and*

(b) *Has been approved by the United States Food and Drug Administration pursuant to an application that includes at least one study on human tampering or abuse potential or a laboratory study comparing the tamper-resistant or abuse-resistant properties of the drug to one or more opioid drugs that have been approved by the United States Food and Drug Administration and serve as a positive control.*

Notwithstanding subsection (2), a pharmacist may not substitute an opioid analgesic drug, either the brand name drug or generic drug, for an opioid analgesic drug incorporating a tamper-resistance technology which was originally prescribed and is listed by the board pursuant to this subsection.

And the title is amended as follows:

Delete lines 222-225 and insert: clinic may be declared a public nuisance; amending s. 465.025, F.S.; requiring the Board of Pharmacy to create a list of opioid analgesic drugs; providing requirements for the list of opioid analgesic drugs; prohibiting a pharmacist from substituting an opioid analgesic drug for an opioid analgesic drug that incorporates a tamper-resistant technology;

Pursuant to Rule 4.19, **CS for CS for SB 818** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

SPECIAL GUESTS

The President recognized former Lieutenant Governor Jeff Kottkamp and former Senator Skip Campbell who were present in the gallery.

Consideration of **CS for SB 2170** was deferred.

On motion by Senator Bogdanoff—

SJR 2084—A joint resolution proposing an amendment to Section 2 of Article V of the State Constitution to reduce the vote threshold required for the Legislature to enact a law repealing a rule of court and to prohibit the Supreme Court from readopting a rule repealed by the Legislature for a prescribed period.

—was read the second time by title.

Amendments were considered and adopted to conform **SJR 2084** to **CS for HJR 7111**.

Pending further consideration of **SJR 2084** as amended, on motion by Senator Bogdanoff, by two-thirds vote **CS for HJR 7111** was withdrawn from the Committees on Judiciary; and Budget.

On motion by Senator Bogdanoff, the rules were waived and by two-thirds vote—

CS for HJR 7111—A joint resolution proposing a revision of Article V of the State Constitution, relating to the judiciary, consisting of

amendments to Sections 2, 3, 4, 7, 11, 12, and 14 of Article V, and the creation of Section 21 of Article V, of the State Constitution to divide the current Supreme Court into two divisions, one hearing civil cases and the other hearing criminal cases; providing for administration of the divisions; defining the jurisdiction of the divisions; providing for transition from the present Supreme Court; revising provisions relating to repeal of court rules; limiting readoption of a repealed court rule; providing for Senate confirmation of Supreme Court justices; expanding the jurisdiction of the Supreme Court; requiring the Judicial Qualifications Commission to make all of its files available to the Speaker of the House of Representatives; revising provisions relating to repeal of commission rules; requiring that a specified minimum percentage of general revenue funds be appropriated to the courts; making other conforming and modernizing changes to the State Constitution regarding the judicial system.

—a companion measure, was substituted for **SJR 2084** as amended and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HJR 7111** was placed on the calendar of Bills on Third Reading.

RECONSIDERATION OF BILL

On motion by Senator Bennett, the Senate recalled from Engrossing—

CS for CS for 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. 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; amending s. 288.1168, F.S.; updating obsolete references to the Department of Commerce; 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; amending s. 469.002, F.S.: conforming a cross-reference to changes made by the act; repealing s. 469.003(2)(b), F.S., relating to obsolete provisions governing the licensure of asbestos surveyors; repealing s. 39.0015, F.S., relating to child abuse prevention training in the district school system; repealing s. 39.305, F.S., relating to the development by the Department of Children and Family Services of a model plan for community intervention and treatment in intrafamily sexual abuse cases; repealing ss. 39.311, 39.312, 39.313, 39.314, 39.315, 39.316, 39.317, and 39.318, F.S., relating to the Family Builders Program; repealing 39.816, F.S., relating to authorization for pilot and demonstration projects; repealing s. 39.817, F.S., relating to a foster care privatization demonstration project; repealing s. 383.0115, F.S., relating to the Commission on Marriage and Family Support Initiatives; repealing s. 393.22, F.S., relating to financial commitment to community services programs; repealing s. 393.503, F.S., relating to respite and family care subsidy expenditures and funding recommendations; repealing s. 394.922, F.S., relating to constitutional requirements regarding long-term control, care, and treatment of sexually violent predators; repealing s. 402.3045, F.S., relating to a requirement that the Department of Children and Family Services adopt distinguishable definitions of child care programs by rule; repealing s. 402.50, F.S., relating to the development of administrative infrastructure standards by the Department of Children and Family Services; repealing s. 402.55, F.S., relating to the management fellows program; repealing s. 409.1672, F.S., relating to performance incentives for department employees with respect to the child welfare system; repealing s. 409.1673, F.S., relating to legislative findings regarding the foster care system and the development of alternate care plans; repealing s. 409.1685, F.S., relating to an annual report to the Legislature by the Department of Children and Family Services with respect to children in foster care; repealing ss. 409.801 and 409.802, F.S., relating to the Family Policy Act; repealing s. 409.803, F.S., relating to pilot programs to provide shelter and foster care services to dependent children; amending ss. 20.195, 39.00145, 39.0121, 39.301, 39.3031, 49.011, 381.006, 381.0072, 390.01114, 409.1685, 411.01013, 753.03, and 877.22, F.S.; conforming references to changes made by the act; repealing s. 288.386, F.S., relating to the Florida-Caribbean Basin Trade Initiative; repealing s. 288.9618, F.S., which relates to an economic development program for microenterprises; repealing s. 288.982, F.S., which relates to a public records requirement for certain records relating to the United States Department of Defense Base Realignment and Closure 2005 process; repealing s. 409.946, F.S., which relates to the Inner City Redevelopment Review Panel; amending ss. 288.012 and 311.07, F.S.; revising requirements for the operating plans of the state's foreign offices and the use of program funds of the Florida Seaport Transportation and Economic Development Program, to delete provisions relating to the Florida Trade Data Center; 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 of Children and Family Services; providing an effective date.

—for further consideration as amended this day.

On motion by Senator Bennett, the Senate reconsidered the vote by which **Amendment 2 (134066)** was adopted.

Amendment 2 (134066) was withdrawn.

Pursuant to Rule 4.19, **CS for CS for SB 1346** as amended was ordered engrossed and placed on the calendar of Bills on Third Reading.

MOTIONS

On motion by Senator Thrasher, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Friday, April 29.

On motion by Senator Thrasher, a deadline of 8:00 a.m. Friday, April 29, was set for filing amendments to Bills on Third Reading to be considered that day.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote **CS for SB 524** and **CS for SB 1072** were withdrawn from the Committee on Budget; **SB 898** was withdrawn from the Committee on Community Affairs; **CS for SB 1246** and **CS for SB 1748** were withdrawn from the Committee on Criminal Justice; **CS for SB 828**, **CS for SB 1168**, **SCR 1558**, and **SJR 1704** were withdrawn from the Committee on Governmental Oversight and Accountability; **SB 1146** was withdrawn from the Committee on Judiciary; **CS for SJR 592**, **CS for CS for SB 1198**, **CS for CS for SB 1254**, **SB 1398**, **SCR 1558**, **CS for CS for SB 1696**, **SB 690**, **CS for SB 822**, **CS for SB 1410**, **SJR 1704**, and **CS for CS for SB 1836** were withdrawn from the Committee on Rules; **SB 1144** was withdrawn from the Committee on Transportation; and **SB 1742** was withdrawn from the Committee on Health Regulation.

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 Thursday, April 28, 2011: **CS for SB 844**, **SM 954**, **CS for CS for SB 1346**, **CS for CS for SB 1196**, **CS for SCR 4**, **CS for SB 2170**, **SJR 2084**.

Respectfully submitted,
John Thrasher, Chair

The Committee on Budget recommends a committee substitute for the following: **CS for CS for SB 530**

The Committee on Rules recommends committee substitutes for the following: **SB 42**; **SB 54**

The bills with committee substitute attached were placed on the Calendar.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Joyner—

SB 752—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; amending chapter 23559, Laws of Florida, 1945, as amended; revising the General Employees' Pension Plan for the City of Tampa; revising the definitions of the terms "Salaries or Wages," "Employee," and "Military Service Time"; revising application of the term "Actuarial Equivalent"; defining the term "Limitation Year"; providing that all employee contributions to the pension fund after a certain date are mandatory and that the city shall pay such contributions to the fund on behalf of the employee; providing certain beneficiaries an option to roll over certain death benefits; providing for a refund of employee contributions; revising the provision that addresses the reemployment of retired employees; revising construction of the act; allowing DROP members the opportunity to elect an investment option, as determined by the board of trustees, to be applied to the participant's account for the plan year entering the DROP program and for each subsequent plan year; revising benefit limitations; revising requirements for distribution of benefits; providing a default distribution when a member fails to elect a distribution option; revising direct rollover options; revising the definitions of the terms "eligible rollover distribution," "eligible rollover plan," and "distributee"; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Senator Joyner—

SB 754—A bill to be entitled An act relating to the City Pension Fund for Firefighters and Police Officers in the City of Tampa, Hillsborough County; authorizing the City of Tampa to enter into a supplemental contract with certain firefighters and police officers to comply with

chapter 2009-97, Laws of Florida; revising the manner in which elective trustees are elected; increasing the maximum length of time prior to term commencement in which to conduct trustee elections; allowing the board to retain the services of more than one nationally recognized professional investment counselor; increasing the investment cap on foreign securities; providing that the investment cap on foreign securities may not be revised, amended, increased, or repealed except as provided by general law; allowing retired members to elect to receive a reduced retirement benefit in order to provide a surviving spouse benefit under certain circumstances; allowing members to purchase up to an additional 5 years of credited service based upon prior service as a full-time certified firefighter or certified police officer or for military service in the Armed Forces of the United States subject to certain conditions; allowing DROP participants upon entering DROP and annually thereafter to elect an option for accruing annual interest at a low-risk variable rate selected annually by the board of trustees, in its sole discretion, in lieu of a rate reflecting the fund's net investment performance, as determined by the board of trustees; prohibiting members from selecting certain pension contract changes and rejecting others; confirming in part the City of Tampa Firefighters and Police Officers Pension Contract; providing for severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Senator Joyner—

SB 756—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue an alcoholic beverage license to the City of Tampa for use within the buildings and adjoining grounds of Curtis Hixon Waterfront Park and Kiley Garden Park; providing for payment of the license fee; authorizing the sale of alcoholic beverages for consumption within the buildings and their adjoining grounds; prohibiting sales for consumption off premises; providing for construction of the act; authorizing the transfer and providing for subsequent reversion of the license under certain circumstances; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

Senate Bills 758-1444—Previously referenced.

By Senator Jones—

SB 1446—A bill to be entitled An act relating to the Pinellas Planning Council, Pinellas County; codifying, amending, reenacting, and repealing special acts relating to the district; reorganizing the council; setting forth the purpose of the council; providing legislative intent that the countywide plan be broadly defined and policy-based; providing that the primary focus of the council will be land use and transportation planning; providing definitions; providing that the membership of the council shall be the same as that of the Pinellas County Metropolitan Planning Organization; providing for the election of officers, meetings of the council, requirements of a quorum, and member expenses; providing for the powers and duties of the council, including revising the required components of the countywide plan, consistent with the stated legislative intent; providing for countywide staff and committees; providing for a budget and annual independent audit; recognizing the countywide planning authority of the Pinellas County Board of County Commissioners as provided by the Pinellas County Charter; providing for the repeal of the existing countywide plan, adoption of a new countywide plan, future amendment of the plan, and standards and procedures for such actions; providing a timetable for consistency review after adoption of a new countywide plan; providing for public hearing and notice requirements; requiring the authority to adopt specific notice standards in the countywide rules; providing for compliance with part II of chapter 163, Florida Statutes; repealing chapters 73-594, 74-584, 74-586, 76-473, 88-464, and 90-396, Laws of Florida; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

Senate Bills 1448-1524—Previously referenced.

By Senator Richter—

SB 1526—A bill to be entitled An act relating to the Southwest Florida Fire Control and Rescue District, Collier County; creating the district as an independent special district; providing for future merger of districts; providing legislative intent; providing purpose of the district; providing boundaries; providing for a governing body; providing powers of the district; providing that the district may levy ad valorem taxes and non-ad valorem assessments; authorizing the district to borrow money; providing for impact fees; providing for elections; providing that the district may exercise the power of eminent domain; providing for effect of municipal annexation or incorporation; providing immunity from tort liability; providing for transition; providing for transfer of powers; providing for a referendum on merger of districts; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

Senate Bills 1528-1738—Previously referenced.

By Senator Dean—

SB 1740—A bill to be entitled An act relating to Citrus County; providing for codification of special laws relating to the Citrus County Hospital Board, an independent special district in Citrus County; providing legislative intent; codifying, amending, reenacting, and repealing chapters 99-442 and 2001-308, Laws of Florida, as the "Citrus County Hospital and Medical Nursing and Convalescent Home Act"; deleting obsolete provisions; making technical revisions; providing definitions; authorizing the board to enter into a lease or contract with a not-for-profit corporation for the purpose of operating and managing the hospital and its facilities; providing requirements for such lease or contract; declaring a need for governance authority to fulfill the hospital board's public responsibilities; providing for a board of directors; providing for membership; requiring that the not-for-profit corporation conform all governance documents to certain requirements, if necessary; authorizing ad valorem taxation; requiring that the not-for-profit corporation separately account for the expenditure of all ad valorem tax moneys provided by the hospital board; requiring that the expenditure of all public tax funds be approved in a public meeting and maintained in a separate account; providing for the hospital board's approval or rejection of the not-for-profit corporation's articles of incorporation or bylaws, selection of a new chief executive officer or renewal of his or her employment contract, the annual operating and capital budgets, additional loan indebtedness or leases in excess of a specified amount, and the not-for-profit corporation's policies for travel reimbursements and contract bid procedures; providing that all records of the not-for-profit corporation are public records unless exempt; providing that any dispute between the hospital board and the not-for-profit corporation is subject to court action; providing for interpretation and implementation of the act and for court enforcement; providing application; repealing chapters 99-442 and 2001-308, Laws of Florida, relating to the Citrus County Hospital Board; providing severability; providing construction; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

Senate Bills 1742-1978—Previously referenced.

By Senator Latvala—

SB 1980—A bill to be entitled An act relating to the Lealman Special Fire Control District, Pinellas County; amending chapter 2000-426, Laws of Florida, as amended; reducing the maximum ad valorem millage

rate that may be levied by the district; providing requirements for the annexation of the unincorporated territory of the district by a municipality; requiring the approval of an annexation by a referendum of the electors within the district; providing for future expiration of the requirements for annexation; providing an effective date.

—was referred to the Committee on Rules.

By Senator Alexander—

SB 1982—A bill to be entitled An act relating to the Polk County Historical Commission, Polk County; amending chapter 96-462, Laws of Florida; revising the number of commission members; providing for membership eligibility, terms of membership, meetings, attendance at meetings, and rules of procedure; providing for staff; providing powers and duties; providing for a historical preservation manager; providing for funding and the creation of dedicated accounts for the Polk County Historical Museum and the Genealogical Library; deleting provisions relating to the Polk County Historical Association; requiring the board of county commissioners to provide a repository for certain materials; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

Senate Bills 1984-2068—Previously referenced.

By Senator Joyner—

SB 2070—A bill to be entitled An act relating to Hillsborough County; amending chapter 2004-414, Laws of Florida, as amended, which relates to projects for which payment and performance bonds may be waived for the construction of a public building, for the prosecution and completion of a public work, or for repairs on a public building or public work when the cost of the project is at or below a certain threshold and the contract for the construction, completion, or repair is awarded pursuant to an economic development program established to encourage local small businesses to participate in county procurement programs; deferring the future repeal of the law; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Senator Fasano—

SB 2072—A bill to be entitled An act relating to the East Lake Tarpon Community, Pinellas County; providing requirements for the municipal annexation of the East Lake Tarpon Community; requiring a referendum of the electors within the community before such annexation; providing exceptions; describing the community boundaries; providing for expiration; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Senator Fasano—

SB 2074—A bill to be entitled An act relating to Pinellas County; amending chapter 61-2681, Laws of Florida, as amended; redefining the term “family day care home” and defining the term “large family child care home”; revising and providing requirements for licensing and regulating such homes; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

Senate Bills 2076-2204—Previously referenced.

By Senator Alexander—

SB 2206—A bill to be entitled An act relating to Sebring Airport Authority, Highlands County; amending chapter 2005-300, Laws of Florida; revising powers of the authority; providing that the authority may acquire, lease as lessee or lessor, construct, reconstruct, improve, extend, enlarge, equip, repair, maintain, and operate commercial and industrial facilities; providing that the authority may establish, operate, and maintain foreign-trade zone status under the alternative site framework in DeSoto, Glades, Hardee, Hendry, Highlands, and Okeechobee Counties and the Cities of Belle Glade, Pahokee, and South Bay; expanding the power of the authority to purchase commodities or contractual services; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Rules; and Senator Benacquisto—

CS for 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.

By the Committee on Rules; and Senator Storms—

CS for 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.

By the Committees on Budget; Community Affairs; and Regulated Industries; and Senators Fasano and Sachs—

CS for CS for CS for SB 530—A bill to be entitled An act relating to condominium, cooperative, and homeowners' associations; creating s. 468.439, F.S.; authorizing a claim of lien to secure reasonable expenses for collection services rendered by a community association manager or community management firm on behalf of a community association for a delinquent account; amending s. 633.0215, F.S.; exempting certain residential buildings from a requirement to install a manual fire alarm system; 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 bylaws; providing that board of administration meetings discussing personnel matters are not open to unit members; revising requirements for electing the board of directors; providing for continued office and for filling vacancies under certain circumstances; specifying unit owner eligibility for board membership; requiring that certain educational curriculum be completed within a specified time before the election or appointment of a board director; amending s. 718.113, F.S.; authorizing the board of a condominium association to install impact glass or other code-compliant windows under certain circumstances; 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; providing that an association that acquires title to a unit through the foreclosure of its lien for assessments is not liable for unpaid assessments, late fees, interest, or attorney's fees and costs under specified circumstances; conforming a cross-reference; revising provisions authorizing an association to collect rent from the tenant of a unit owner that owes money to the association; amending s. 718.117, F.S.; providing a procedure for the termination of ownership of a condominium if the units have been totally destroyed or demolished; 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 or occupant; providing for the suspension of certain rights of use or voting rights; forbidding a voting interest or consent right allocated to a unit or member which has been suspended from being counted toward the total number of voting interests; 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.; deleting a provision authorizing an association to add administrative late fees and costs for collection services to a lien against a cooperative parcel for unpaid rents and assessments; amending s. 719.303, F.S.; revising provisions relating to imposing remedies against a delinquent unit owner or occupant; providing for the suspension of certain rights of use or voting rights; forbidding a voting interest or consent right allocated to a unit or member which has been suspended from being counted toward the total number of voting interests; requiring that the suspension of certain rights of use or voting rights be approved at a noticed board meeting; amending s. 720.301, F.S.; revising the definition of the term "declaration of covenants"; 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; forbidding a voting interest or consent right allocated to a parcel or member which has been suspended from being counted toward the total number of voting interests; requiring that the suspension of certain rights of use or voting rights be approved at a noticed board meeting; amending s. 720.306, F.S.; providing limitations on who may serve on the board of directors of a homeowners' association; amending s. 720.3085, F.S.; revising provisions relating to the payment of assessments; providing that an association that acquires title to a unit through the foreclosure of its lien for assessments is not liable for unpaid assessments, late fees, interest, or attorney's fees and costs under specified circumstances; 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.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

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:

Office and Appointment

Secretary of Transportation

Appointee: Prasad, Ananth, Tallahassee

For Term
Ending

Pleasure of
Governor

Office and Appointment

Board of Trustees, University of Central Florida

Appointees: Crotty, Richard T., Orlando
Florez, Alan, Flagler Beach

For Term
Ending

01/06/2015

01/06/2016

Board of Trustees, Florida International University

Appointee: de la Vega, Mayi, Coral Gables

01/06/2016

Referred to the Rules Subcommittee on Ethics and Elections.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for HB 39, CS for CS for HB 95, CS for CS for HB 99, CS for HB 227, HB 229, CS for HB 231, HB 233, CS for CS for HB 277, CS for HB 325, HB 331, HB 347, CS for HB 407, CS for HB 437, HB 469, HB 529, CS for HB 555, CS for CS for HB 563, HB 657, HB 659, HB 699, HB 741, CS for HB 745, HB 767, HB 797, HB 861, HB 865, HB 867, CS for HB 869, CS for CS for CS for HB 887, CS for HB 901, HB 951, HB 985, CS for HB 997, HB 1009, HB 1045, CS for HB 1063, HB 1165, CS for HB 1293, HB 1307, HB 1311, CS for HB 1317, CS for HB 1329, CS for HB 1345, HB 1351, CS for HB 1489, HB 4023, CS for HB 4045, **HB 4047, HB 4049, HB 4051, HB 4053**, HB 4121, HB 4191, HB 4197, HB 4203, HB 4205, HB 7075, HB 7077, HB 7081, HB 7083, HB 7085, HB 7101, HB 7161, HB 7225; has passed as amended CS for HB 253, CS for CS for CS for CS for HB 353, CS for CS for CS for HB 1145, CS for HB 7213; has passed as amended by the required constitutional three-fifths vote of the membership CS for HJR 7111; has passed by the required constitutional two-thirds vote of the members present CS for HB 409, CS for HB 411, CS for HB 579, CS for HB 667, CS for HB 913, HB 7079 and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

By Judiciary Committee, Criminal Justice Subcommittee and Representative(s) Adkins, Rouson, Ahern, Baxley, Broxson, Glorioso, McBurney, Pilon, Porter, Porth, Van Zant—

CS for CS for HB 39—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; amending s. 893.13, F.S.; providing that it is a misdemeanor of the first degree to be in possession of not more than a specified amount of certain hallucinogenic substances; providing an exception for the powdered form of such substances; 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.

By Appropriations Committee, State Affairs Committee and Representative(s) Bembry, Brandes, Abruzzo, Baxley, Caldwell, Mayfield, Perry, Van Zant, Williams, T.—

CS for CS for HB 95—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 annual entrance passes to state parks at no charge; amending s. 380.0685, F.S., relating to a surcharge imposed on admission fees to state parks in areas of critical state concern located in certain counties; providing for certain municipalities to use the proceeds of the surcharge for land acquisition or beach renourishment or restoration; providing limitations for purposes of determining state

matching funds; exempting the state from specified liability provisions with respect to parks within the state park system that have free-roaming animal populations; designating Jack Mashburn Marina in Bay County; directing the Department of Environmental Protection to erect suitable markers; providing an effective date.

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

By Economic Affairs Committee, Insurance & Banking Subcommittee and Representative(s) Drake, Van Zant—

CS for CS for HB 99—A bill to be entitled An act relating to commercial insurance rates; amending s. 627.062, F.S.; exempting additional categories or kinds of insurance and types of commercial lines risks from being subject to certain otherwise applicable rate filing requirements; deleting a requirement that an insurer's rate change notice include total premium written for an exempt class of insurance; removing a requirement that specified types of records and information related to a rate change be retained by an insurer; requiring actuarial data regarding a rate change for an exempt class of insurance be retained by an insurer for a specified time; requiring the insurer to incur examination expenses; removing a requirement that a rating organization maintain certain statistics related to changes to loss cost for exempt classes of insurance; requiring certain actuarial data related to loss cost be retained by a rating organization for a specified time; requiring a rating organization to incur examination expenses; deleting authority for the Office of Insurance Regulation to require all necessary information from an insurer in order to evaluate a rate change; amending s. 627.0651, F.S.; expanding an exemption from certain otherwise applicable rate filing requirements to include all commercial motor vehicle insurance; deleting a requirement that a commercial motor vehicle insurer's rate change notice include total premium written; removing a requirement that specified types of records and information related to a commercial motor vehicle insurance rate change be retained by an insurer; requiring actuarial data regarding a commercial motor vehicle insurance rate change be retained by an insurer for a specified time; requiring an insurer for commercial motor vehicle insurance to incur examination expenses; removing a requirement that a rating organization maintain certain statistics related to changes to loss cost for commercial motor vehicle insurance; requiring actuarial data related to loss cost for commercial motor vehicle insurance be retained by a rating organization for a specified time; requiring a rating organization for commercial motor vehicle insurance to incur examination expenses; deleting authority for the Office of Insurance Regulation to require all necessary information from an commercial motor vehicle insurer in order to evaluate a rate change; providing an effective date.

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

By Government Operations Subcommittee and Representative(s) Brandes, Adkins, Ahern, Artiles, Baxley, Corcoran, Ford, Horner, Metz, Renuart, Smith, Steube, Van Zant—

CS for HB 227—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.

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

By Representative(s) Young, Cruz—

HB 229—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; amending chapter 23559, Laws of Florida, 1945, as amended; revising the General Employees' Pension Plan for the City of Tampa; revising the definitions of the terms "Salaries or Wages," "Employee," and "Military Service Time"; revising application of the term "Actuarial Equivalent"; defining the term "Limitation Year"; providing that all employee contributions to the pension fund after a certain date are mandatory and that the city shall pay such contributions to the fund on behalf of the employee; providing certain beneficiaries an option to roll over certain death benefits; providing for a refund of employee contributions; revising the provision that addresses the reemployment of retired employees; revising construction of the act; allowing DROP members the opportunity to elect an investment option, as determined by the board of trustees, to be applied to the participant's account for the plan year entering the DROP program and for each subsequent plan year; revising benefit limitations; revising requirements for distribution of benefits; providing a default distribution when a member fails to elect a distribution option; revising direct rollover options; revising the definitions of the terms "eligible rollover distribution," "eligible rollover plan," and "distributee"; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Community & Military Affairs Subcommittee and Representative(s) Young, Cruz, Reed—

CS for HB 231—A bill to be entitled An act relating to the City Pension Fund for Firefighters and Police Officers in the City of Tampa, Hillsborough County; authorizing the City of Tampa to enter into a supplemental contract with certain firefighters and police officers to comply with chapter 2009-97, Laws of Florida; revising the manner in which elective trustees are elected; increasing the maximum length of time prior to term commencement in which to conduct trustee elections; allowing the board to retain the services of more than one nationally recognized professional investment counselor; increasing the investment cap on foreign securities; providing that the investment cap on foreign securities is measured on a market value basis and may not be revised, amended, increased, or repealed except as provided by general law; allowing retired members to elect to receive a reduced retirement benefit in order to provide a surviving spouse benefit under certain circumstances; allowing members to purchase up to an additional 5 years of credited service based upon prior service as a full-time certified firefighter or certified police officer or for military service in the Armed Forces of the United States subject to certain conditions; allowing DROP participants upon entering DROP and annually thereafter to elect an option for accruing annual interest at a low-risk variable rate selected annually by the board of trustees, in its sole discretion, in lieu of a rate reflecting the fund's net investment performance, as determined by the board of trustees; prohibiting members from selecting certain pension contract changes and rejecting others; confirming in part the City of Tampa Firefighters and Police Officers Pension Contract; providing for severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Young, Cruz, Reed—

HB 233—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue an alcoholic beverage license to the City of Tampa for use within the buildings and adjoining grounds of Curtis Hixon Waterfront Park and Kiley Garden Park; providing for payment of the license fee; authorizing sale of alcoholic beverages for consumption within the buildings and their adjoining grounds; prohibiting sales for consumption off premises; providing for construction of this act; authorizing transfer and

providing for subsequent reversion of the license under certain circumstances; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Judiciary Committee, Civil Justice Subcommittee and Representative(s) Goodson, Costello—

CS for CS for HB 277—A bill to be entitled An act relating to sovereign immunity; amending s. 768.28, F.S.; requiring that a claim in a wrongful death case be presented to the Department of Financial Services within 2 years after the claim accrues; providing that failure of the Department of Financial Services or the appropriate agency to make final disposition of a claim for wrongful death within 90 days after it is filed is deemed to be a final denial of the claim; tolling the statute of limitations for the period of time taken by the Department of Financial Services or other agency to deny a medical malpractice or wrongful death claim; 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 for the application of the act to causes of action accruing on or after the effective date; providing an effective date.

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

By Judiciary Committee and Representative(s) Wood—

CS for HB 325—A bill to be entitled An act relating to estates; creating s. 90.5021, F.S.; providing a fiduciary lawyer-client privilege; providing that the section is inapplicable to a specified crime or fraud exception to lawyer-client privilege; 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. 733.212, F.S.; providing for notice of fiduciary lawyer-client privilege in a notice of administration; 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. 736.0813, F.S.; providing for notice of fiduciary lawyer-client privilege by a trustee; 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 Representative(s) Weinstein—

HB 331—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 Representative(s) Diaz, Trujillo, Porth, Slosberg—

HB 347—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 Community & Military Affairs Subcommittee and Representative(s) Perry, Brandes, Caldwell, Costello, Diaz—

CS for HB 407—A bill to be entitled An act relating to residential building permits; amending s. 553.79, F.S.; prohibiting local enforcing agencies and building code officials or entities from requiring certain inspections of buildings, structures, or real property as a condition of issuance of certain residential building permits; providing for application; providing for conditional repeal; providing an effective date.

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

By Transportation & Highway Safety Subcommittee and Representative(s) Holder—

CS for HB 437—A bill to be entitled An act relating to motor vehicle licenses; amending s. 320.60, F.S.; redefining the term "line-make vehicles" to clarify circumstances under which vehicles sold or leased under multiple brand names or marks constitute a single line-make; amending s. 320.6992, F.S.; revising the application of provisions relating to franchise agreements; providing an effective date.

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

By Representative(s) Stargel, Ford—

HB 469—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.

By Representative(s) Caldwell, Williams, T.—

HB 529—A bill to be entitled An act relating to the Lee County Sheriff's Office; amending chapter 74-522, Laws of Florida, as amended; providing that certain retirement health insurance benefits shall not be available to specified employees; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Community & Military Affairs Subcommittee and Representative(s) Mayfield—

CS for HB 555—A bill to be entitled An act relating to Indian River Mosquito Control District, Indian River County; amending chapter 2006-344, Laws of Florida; revising the powers of the board of commissioners relating to the employment of certain persons; specifying the provisions of law governing the election of commissioners and removing obsolete provisions for the staggering of initial terms; requiring the district to pay for the surety bonds required of commissioners before they assume office; requiring commissioners to elect a secretary/treasurer for the board; revising per diem and travel expense provisions for commissioners and employees; revising powers of the board relating to the control of mosquitoes and sandflies and deleting the power of the board to eliminate all species of mosquitoes and sandflies in the district; revising provisions relating to the board's purchasing, borrowing, and insurance requirements; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Judiciary Committee, Criminal Justice Subcommittee and Representative(s) Jones, Bullard—

CS for CS for HB 563—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 and Comptrollers 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; authorizing the association to apply for grants to fund the development of the automated process; providing an effective date.

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

By Representative(s) Harrell—

HB 657—A bill to be entitled An act relating to Martin County; amending chapter 63-1619, Laws of Florida, as amended; limiting the issuance of special alcoholic beverage licenses to restaurants that serve a certain number of patrons, occupy a certain amount of floor space, and are located within the legal boundaries of the community redevelopment areas of the county; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Harrell—

HB 659—A bill to be entitled An act relating to Martin County; amending chapter 65-1906, as amended; revising the membership of the County Health Care Review Board; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Taylor—

HB 699—A bill to be entitled An act relating to the Southeast Volusia Hospital District, Volusia County; amending chapter 2003-310, Laws of Florida; expanding the representation of the Southeast Volusia Hospital District governing body; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Berman—

HB 741—A bill to be entitled An act relating to the Lake Worth Drainage District, Palm Beach County; amending chapter 2009-258, Laws of Florida; authorizing the district to develop and operate water supply sources and facilities and to enter into interlocal agreements with local governments and public and private utilities for such purpose; providing for issuance of notes and bonds; prohibiting the district from engaging in retail water sales; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Community & Military Affairs Subcommittee and Representative(s) Wood—

CS for HB 745—A bill to be entitled An act relating to the Polk County Historical Commission, Polk County; amending chapter 96-462, Laws of Florida; revising the number of commission members; providing for membership eligibility, terms of membership, meetings, attendance at meetings, and rules of procedure; providing for staff; providing powers and duties; providing for funding and the creation of dedicated accounts for the Polk County Historical Museum and the Genealogical Library; deleting provisions relating to the Polk County Historical Association; requiring the board of county commissioners to provide a repository for certain materials; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Rooney—

HB 767—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 Representative(s) Perry, Adkins, Baxley, Corcoran, Costello, Passidomo, Porter, Van Zant, Weinstein—

HB 797—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-FHSAA 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 Representative(s) Jenne—

HB 861—A bill to be entitled An act relating to the North Springs Improvement District, Broward County; amending chapter 2005-341, Laws of Florida, as amended; extending and enlarging the boundaries of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Jenne—

HB 865—A bill to be entitled An act relating to the Town of Southwest Ranches, Broward County; amending chapter 2000-475, Laws of Florida; amending the town's charter to remove inapplicable provisions and to make ministerial changes; providing further description of the town's rural residential character; eliminating previously repealed language; providing additional language relating to filling council vacancies; clarifying that only the town council is required to vote by roll call; clarifying that a roll call vote is required by the town council on all land use and quasi-judicial items; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Jenne—

HB 867—A bill to be entitled An act relating to Broward County; amending chapter 75-350, Laws of Florida, as amended; revising provisions relating to the governing of municipal elections in the county; revising the dates on which municipal candidates must file qualification papers and pay certain fees with respect to certain elections; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Community & Military Affairs Subcommittee and Representative(s) Boyd, Steube—

CS for HB 869—A bill to be entitled An act relating to the Manatee County Port Authority; amending chapter 2003-351, Laws of Florida; providing for the conveyance of title to submerged lands adjacent to the port authority's boundaries from the Board of Trustees of the Internal Improvement Trust Fund; defining the territorial boundaries of the submerged lands; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By State Affairs Committee, Finance & Tax Committee, Energy & Utilities Subcommittee and Representative(s) Dorworth, Van Zant, Williams, T.—

CS for CS for CS for HB 887—A bill to be entitled An act relating to communications services tax; amending s. 202.16, F.S.; requiring that a dealer compute the communications services tax based on a rounding algorithm; providing criteria; providing for application of the tax; providing options to the dealer for applying the rounding algorithm; authorizing a dealer to apply the rounding algorithm to the aggregate tax amount under certain conditions; providing that a dealer is not required to collect the tax based on a bracket system; removing the provision requiring the Department of Revenue to make available tax amounts and applicable brackets; providing that the provisions of the act are remedial in nature and apply retroactively; providing that the act does not provide a basis for assessment of any tax not paid or create a right to certain refunds or credits; providing an effective date.

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

By Economic Affairs Committee and Representative(s) Horner, Weinstein—

CS for HB 901—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. 507.07, 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 for retroactive application; providing an effective date.

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

By Representative(s) Albritton—

HB 951—A bill to be entitled An act relating to the recording of real property documents; creating s. 695.28, F.S.; establishing that certain electronic documents accepted for recordation are validly recorded; providing legislative intent; providing for prospective and retroactive application; providing an effective date.

—was referred to the Committees on Judiciary; Banking and Insurance; Budget Subcommittee on General Government Appropriations; and Budget.

By Representative(s) Burgin—

HB 985—A bill to be entitled An act relating to Hillsborough County; amending chapter 2004-414, Laws of Florida, as amended, which relates to projects for which payment and performance bonds may be waived for the construction of a public building, for the prosecution and completion of a public work, or for repairs on a public building or public work when the cost of the project is at or below a certain threshold and the contract for the construction, completion, or repair is awarded pursuant to an economic development program established to encourage local small businesses to participate in county procurement programs; deferring the future repeal of the law; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Justice Appropriations Subcommittee and Representative(s) Pilon, Grant, Metz, Van Zant—

CS for HB 997—A bill to be entitled An act relating to juvenile civil citations; amending s. 985.12, F.S.; requiring the Department of Juvenile Justice to encourage and assist in the implementation and improvement of civil citation and similar diversion programs; requiring that a juvenile civil citation or similar diversion 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 civil citation or similar diversion program; requiring the entity operating the program to be selected in consultation and agreement with the state attorney and the local law enforcement agencies; 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 or similar diversion program to first-time misdemeanor offenders unless the participation is approved by the state attorney or assistant state attorney; requiring the agency operating the program to report on the outcome to the Department of Juvenile Justice at the conclusion of a youth's civil citation or similar diversion program; providing that the issuance of a civil citation is not considered a referral to the department; requiring the department to develop guidelines for the civil citation program which include intervention services that are based upon proven civil citation or similar diversion programs within the state; requiring a juvenile probation officer to process the original delinquent act as a referral to the department in specified circumstances and to refer certain reports to the state attorney for review; providing an effective date.

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

By Representative(s) McBurney—

HB 1009—A bill to be entitled An act relating to the City of Jacksonville, Duval County; amending chapter 87-471, Laws of Florida; adding a special zone in downtown Jacksonville; providing exception for space and seating requirements for liquor licenses for restaurants in the zone; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Clemens—

HB 1045—A bill to be entitled An act relating to the Loxahatchee Groves Water Control District, Palm Beach County; amending chapter 99-425, Laws of Florida, as amended; providing for the dedication of the width of roads to the public; providing requirements for such dedication; providing for prima facie evidence of public road easements; exempting certain property of an electric utility; assigning traffic control jurisdiction on all public roads within the district to the Town of Loxahatchee Groves; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Community & Military Affairs Subcommittee and Representative(s) Goodson—

CS for HB 1063—A bill to be entitled An act relating to the Canaveral Port District, Brevard County; amending chapter 2003-335, Laws of Florida, as amended; increasing the amount for which the Canaveral Port Authority may encumber personal properties and facilities of the authority; increasing the amount for which contracts for construction, improvement, repair, or building may be entered into or goods, supplies, or materials may be purchased by the district or authority; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Holder—

HB 1165—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.

By Community & Military Affairs Subcommittee and Representative(s) Tobia—

CS for HB 1293—A bill to be entitled An act relating to Brevard County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue an alcoholic beverage license to the Brevard Art Museum, Inc., for use within the museum's buildings; requiring payment of a license fee; providing for the sale of beverages for consumption at the museum; providing for transfer of the license; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Metz—

HB 1307—A bill to be entitled An act relating to the City of Mount Dora, Lake County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue up to a specified number of temporary permits to a nonprofit civic organization to sell alcoholic beverages for consumption on the premises at outdoor events on public right-of-way in the downtown area of Mount Dora; providing that such events require a street-closure permit from the City of Mount Dora; providing that the permits authorized by the act are in addition to certain other authorized temporary permits; requiring the nonprofit civic organization to comply with certain statutory requirements in obtaining the permits authorized by the act; requiring the division to adopt rules; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Coley, Patronis—

HB 1311—A bill to be entitled An act relating to Walton County; providing that certain rigid coastal armoring structures constructed during a specified time may remain without the need to obtain a Department of Environmental Protection permit; providing conditions applicable to such structures; providing definitions; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Community & Military Affairs Subcommittee and Representative(s) Adkins—

CS for HB 1317—A bill to be entitled An act relating to Nassau County; creating the Nassau County targeted job creation zone pilot project; authorizing Nassau County to designate specified areas as targeted job creation zones and to implement specified exceptions, strategies, and incentives; providing for an alternative process for adoption and review of specified local government comprehensive plan amendments; providing for repeal of the pilot project; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By K-20 Innovation Subcommittee and Representative(s) Bileca, Adkins, Artilles, Corcoran, Gaetz, Nuñez, Stargel, Van Zant—

CS for HB 1329—A bill to be entitled An act relating to the John M. McKay Scholarships for Students with Disabilities Program; amending s. 1002.39, F.S.; making scholarships available to students with disabilities who have a 504 accommodation plan issued under s. 504 of the federal Rehabilitation Act; allowing a parent to request and receive a scholarship for a student to enroll in and attend a private school if the student has a 504 accommodation plan; providing that students with certain temporary 504 accommodation plans are ineligible for a scholarship; requiring that the school district notify a parent of available options within 10 days after a 504 accommodation plan is issued; providing that a parent may choose to enroll the student in a public school

in an adjacent district under certain conditions; providing for scholarship amounts; providing an effective date.

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

By Community & Military Affairs Subcommittee and Representative(s) Kreegel—

CS for HB 1345—A bill to be entitled An act relating to the Charlotte County Airport Authority, Charlotte County; amending chapter 98-508, Laws of Florida, as amended; revising various provisions of the Charlotte County Airport Authority Act; revising definitions; expanding the purpose of the authority; revising provisions relating to members, officers, compensation, and meetings; revising powers of the authority; revising requirements for the expenditure of funds; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Jenne—

HB 1351—A bill to be entitled An act relating to the South Broward Drainage District, Broward County; amending chapter 98-524, Laws of Florida, as amended; revising and providing definitions; conforming terminology; deleting and updating obsolete provisions; revising inconsistent provisions; revising the method of deciding elections of commissioners in the event of a tie vote; clarifying language relating to the imposition of district assessments and taxes; clarifying the type of property subject to district rules, criteria, and regulations; authorizing the board to take appropriate action as may be required of the district by another governmental agency; requiring the district to take designated water control elevations into consideration for all projects within the district; authorizing the treasurer, rather than the secretary, of the board to be involved in the preparation of the district's budget; clarifying procedures relating to special assessments; authorizing the treasurer to prepare the district tax record; requiring the district to prepare plans, specifications, and estimates for improvements; authorizing the district director to implement certain activities and receive documents relating to special assessments; conforming cross-references; prohibiting obstruction, damage, or destruction of district facilities and noncompliance with the district's 5-year recertification program rules, criteria, or regulations; clarifying applicability; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Economic Affairs Committee and Representative(s) Albritton—

CS for HB 1489—A bill to be entitled An act relating to Sebring Airport Authority, Highlands County; amending chapter 2005-300, Laws of Florida; revising powers of the authority; providing that the authority may acquire, lease as lessee or lessor, construct, reconstruct, improve, extend, enlarge, equip, repair, maintain, and operate commercial and industrial facilities; providing that the authority may establish, operate, and maintain foreign-trade zone status under the alternative site framework in DeSoto, Glades, Hardee, Hendry, Highlands, and Okeechobee Counties and the Cities of Belle Glade, Pahokee, and South Bay; expanding the power of the authority to purchase commodities or contractual services; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Plakon—

HB 4023—A bill to be entitled An act relating to sales representative contracts involving commissions; repealing s. 686.201, F.S., relating to

sales representative contracts involving commissions; providing an effective date.

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

By Health & Human Services Committee and Representative(s) Hudson, Campbell—

CS for HB 4045, HB 4047, HB 4049, HB 4051, and HB 4053—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; amending s. 429.23, F.S.; removing reporting requirements for assisted living facilities relating to liability claims; amending s. 429.35, F.S.; removing an obsolete reporting requirement; amending s. 429.41, F.S.; removing a 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; 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 Rules.

By Representative(s) Artiles—

HB 4121—A bill to be entitled An act relating to clove cigarettes; repealing s. 859.058, F.S., relating to prohibitions against sale, use, possession, transfer, or other disposing of clove cigarettes or similar products; providing an effective date.

—was referred to the Committee on Health Regulation.

By Representative(s) Hager—

HB 4191—A bill to be entitled An act relating to Palm Beach County; amending chapter 96-466, Laws of Florida; deleting obsolete provisions relating to the establishment of an advisory committee to advise the Palm Beach County Board of County Commissioners on improvements, operations, maintenance, and enhancement of the South Lake Worth Inlet and adjacent property and to assist in the development, coordination, and public review of the Inlet Management Plan; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Gaetz—

HB 4197—A bill to be entitled An act relating to Okaloosa County; repealing chapter 81-442, Laws of Florida, relating to the establishment and duties of the Personnel Standards and Review Board for the Okaloosa County Sheriff's Department; repealing chapters 85-472 and 90-492, Laws of Florida, to conform; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Gaetz—

HB 4203—A bill to be entitled An act relating to Okaloosa County; repealing chapter 69-798, Laws of Florida, relating to an exception for certain restaurants in the county to the limitation under general law on the number of alcoholic beverage licenses allowed to be issued in the county, to provide for the issuance of such licenses to restaurants in the county in excess of such limitation in accordance with the criteria and conditions specified in general law; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Holder—

HB 4205—A bill to be entitled An act relating to the Pinecraft Lighting District, Sarasota County; abolishing the district; repealing chapters 67-2050, 69-1588, 70-931, 71-911, 72-689, and 76-486, Laws of Florida; transferring all assets and liabilities of the district to Sarasota County; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Government Operations Subcommittee and Representative(s) Ahern—

HB 7075—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 identification and location information of certain current and former employees of the Department of Juvenile Justice and their family members; revising the job classifications specified in the exemption to reflect those classifications used by the department; removing the scheduled repeal of the exemption; providing an effective date.

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

By Government Operations Subcommittee and Representative(s) Logan—

HB 7077—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; removing the scheduled repeal of the exemption; providing an effective date.

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

By Government Operations Subcommittee and Representative(s) Bi-leca—

HB 7081—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 744.7082, F.S., which provides an exemption from public records requirements for information that identifies certain donors or prospective donors to the direct-support organization for the Statewide Public Guardianship Office; removing superfluous and duplicative language; repealing s. 2, ch. 2006-179, Laws of Florida, which provides for repeal of the exemption; providing an effective date.

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

By Government Operations Subcommittee and Representative(s) Young—

HB 7083—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 787.03, F.S., which provides 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; removing the scheduled repeal of the exemption; providing an effective date.

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

By Government Operations Subcommittee and Representative(s) Young—

HB 7085—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; removing the scheduled repeal of the exemption; providing an effective date.

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

By Civil Justice Subcommittee and Representative(s) Gaetz—

HB 7101—A bill to be entitled An act relating to judicial nominating commissions; repealing s. 43.291, F.S., relating to judicial nominating commissions; creating s. 43.292, F.S.; providing for judicial nominating commissions; specifying membership and composition; providing for appointment of members by the Governor; providing for terms; requiring the Governor to consider racial, ethnic, gender, and geographic diversity in making appointments; providing for suspension of a member of a judicial nominating commission; establishing a quorum; providing for administrative support; abolishing prior offices; permitting reappointment of former officeholders; providing an effective date.

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

By Government Operations Subcommittee and Representative(s) Patronis—

HB 7161—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; repealing s. 790.0601(3), F.S., to remove the scheduled repeal of an exemption from public records requirements for personal identifying information of an applicant for or recipient of a license to carry a concealed weapon or firearm; providing an effective date.

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

By Government Operations Subcommittee and Representative(s) Patronis, Williams, T.—

HB 7225—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; transferring, renumbering, and amending s. 215.44(8), F.S., which provides exemptions from public records requirements for the State Board of Administration; creating s. 215.440, F.S.; specifying information that does not constitute proprietary confidential business information held by the State Board of Administration; requiring the State Board of Administration to maintain a written list of records covered under a verified, written declaration; conforming cross-references; making editorial changes; removing the scheduled repeal of the exemption; amending s. 215.47, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committee on Governmental Oversight and Accountability.

By Civil Justice Subcommittee and Representative(s) Stargel, McBurney, Schwartz, Steube—

CS for HB 253—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 that, in the case of a multimember limited liability company, certain remedies are unavailable to a judgment creditor attempting to satisfy a judgment; prohibiting a court from ordering such remedies; providing construction relating to secured creditor rights, specified principles of law and equity, and continuing enforcement jurisdiction of the court; providing legisla-

tive intent; providing for retroactive application; providing an effective date.

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

By Health & Human Services Committee, Judiciary Committee, Rulemaking & Regulation Subcommittee, Health & Human Services Access Subcommittee and Representative(s) Smith, Corcoran, Costello, Drake, Gaetz, Trujillo—

CS for CS for CS for CS for HB 353—A bill to be entitled An act relating to drug screening of potential and existing beneficiaries of Temporary Assistance for Needy Families; creating s. 414.0652, F.S.; requiring the Department of Children and Family Services to perform a drug test on an applicant for Temporary Assistance for Needy Families benefits; requiring such individual to bear the cost of the drug test; requiring the department to provide, and the applicant to acknowledge receipt of, notice of the drug-screening policy; requiring the department to increase the amount of the initial TANF benefit by the amount paid by the individual for the drug testing; providing procedures for testing and retesting; requiring the department to provide information concerning local substance abuse treatment programs to an individual who tests positive; providing conditions for an individual to reapply for Temporary Assistance for Needy Families benefits; providing that, if a parent is ineligible as a result of failing a drug test, the eligibility of the children is not affected; providing conditions for designating another protective payee; providing rulemaking authority to the department; providing an effective date.

—was referred to the Committees on Criminal Justice; Budget Subcommittee on Health and Human Services Appropriations; and Budget.

By Economic Affairs Committee, Finance & Tax Committee, Business & Consumer Affairs Subcommittee and Representative(s) Young, Abruzzo, Berman, Brandes, Clemens, Cruz, Diaz, Fullwood, Gaetz, Garcia, Goodson, Horner, Jenne, Jones, O'Toole, Pafford, Porth, Randolph, Reed, Slosberg, Soto, Tobia, Williams, A., Williams, T.—

CS for CS for CS for HB 1145—A bill to be entitled An act relating to greyhound racing; amending s. 550.002, F.S., which defines the term “full schedule of live racing or games”; providing that a greyhound permitholder shall not be required to conduct a minimum number of live performances; amending s. 550.01215, F.S.; revising requirements for an application for a license to conduct performances; extending the period of time allowed to amend certain applications; amending s. 550.054, F.S.; removing a requirement for holders of certain converted permits to conduct a full schedule of live racing to qualify for certain tax credits; amending s. 550.0951, F.S.; deleting provisions relating to transfer of certain unused exemptions or credits; amending s. 550.09514, F.S.; providing for transfer of certain unused exemptions or credits; revising purse requirements for greyhound racing and provisions for payment of purses; amending s. 550.475, F.S., relating to lease of pari-mutuel facilities by pari-mutuel permitholders; revising terminology to conform to changes made by the act; amending s. 550.615, F.S.; revising provisions for intertrack wagering; amending ss. 550.26165 and 550.6305, F.S.; conforming cross-references to changes made by the act; amending s. 551.104, F.S.; revising a condition of licensure for the conduct of slot machine gaming; amending s. 551.114, F.S.; revising requirements for designated slot machine gaming areas; amending s. 849.086, F.S.; revising requirements for initial and renewal issuance of a cardroom license to a greyhound permitholder; providing that a minimum number of requested or conducted live performances is not required in order for a greyhound permitholder to maintain or renew a cardroom license; providing an effective date.

—was referred to the Committees on Regulated Industries; and Budget Subcommittee on Finance and Tax.

By Economic Affairs Committee, Transportation & Highway Safety Subcommittee and Representative(s) Drake, Adkins, Garcia, Van Zant—

CS for HB 7213—A bill to be entitled An act relating to road and bridge designations; designating Edna S. Hargrett-Thrower Avenue in Orange County; 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; designating Veterans Memorial Highway in Putnam County; designating Ben G. Watts Highway in Washington County; designating Mardi Gras Way, West Park Boulevard, and Pembroke Park Boulevard in Broward County; designating Stark Memorial Drive and Duval County Law Enforcement Memorial Overpass in Duval County; designating Verna Bell Way in Nassau County; designating Deputy Hal P. Croft and Deputy Ronald Jackson Memorial Highway in Union County; designating Dr. Oscar Elias Biscet Boulevard, Hugh Anderson Boulevard, Palmetto General Hospital Way, Senator Javier D. Souto Way, Reverend Max Salvadore Avenue, BRIGADA 2506 STREET, Carlos Rodriguez Santana, Rev. Jorge Comesanas Way, Amadeo Lopez-Castro, Jr. Road, Benjamin Leon, Jr. Way, and Miami Medical Team Way in Miami-Dade County; designating Alma Lee Loy Bridge in Indian River County; designating Samuel B. Love Memorial Highway in Marion County; designating Elvin Martinez Road in Hillsborough County; designating Whale Harbor Joe Roth Jr. Bridge in Monroe County; designating Florida Highway Patrol Trooper Sgt. Nicholas G. Sottile Memorial in Highlands County; designating Coach Jimmy Carnes Boulevard in Alachua County; amending ss. 24 and 45, ch. 2010-230, Laws of Florida; revising the designation for Miss Lillie Williams Boulevard and Father Gerard Jean-Juste Street in Miami-Dade County; designating Tanya Martin Oubre Pekel Street in Miami-Dade County; directing the Department of Transportation to erect suitable markers; providing an effective date.

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

By Judiciary Committee, Civil Justice Subcommittee and Representative(s) Eisnagle, Aubuchon, Metz, Precourt—

CS for HJR 7111—A joint resolution proposing a revision of Article V of the State Constitution, relating to the judiciary, consisting of amendments to Sections 2, 3, 4, 7, 11, 12, and 14 of Article V, and the creation of Section 21 of Article V, of the State Constitution to divide the current Supreme Court into two divisions, one hearing civil cases and the other hearing criminal cases; providing for administration of the divisions; defining the jurisdiction of the divisions; providing for transition from the present Supreme Court; revising provisions relating to repeal of court rules; limiting readoption of a repealed court rule; providing for Senate confirmation of Supreme Court justices; expanding the jurisdiction of the Supreme Court; requiring the Judicial Qualifications Commission to make all of its files available to the Speaker of the House of Representatives; revising provisions relating to repeal of commission rules; requiring that a specified minimum percentage of general revenue funds be appropriated to the courts; making other conforming and modernizing changes to the State Constitution regarding the judicial system.

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

By Government Operations Subcommittee and Representative(s) Perry, Williams, T.—

CS for HB 409—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; expanding the exemption from public records requirements for criminal intelligence information and criminal investigative information to include photographs, videotapes, or images of any part of the body of a victim of the sexual offense of video voyeurism; providing for future review and repeal of the exemption; providing a statement 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.

By State Affairs Committee and Representative(s) Burgin, Williams, T.—

CS for HB 411—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 Rules.

By Government Operations Subcommittee and Representative(s) Coley, Fresen, Jenne, Logan, Porth, Rooney—

CS for HB 579—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 who receives the services of a center or participates in center activities and the client's family; providing for release of specified confidential and exempt information by a center under certain circumstances; providing an exemption from public records requirements for personal identifying information of a donor or prospective donor to a regional autism center if such donor or prospective donor wishes to remain anonymous; providing for review and repeal of the exemptions; 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 Government Operations Subcommittee and Representative(s) Clemens—

CS for HB 667—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 Government Operations Subcommittee and Representative(s) Horner, Jones—

CS for HB 913—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 and trade secrets held by a public airport and for any proposal or counterproposal exchanged between a public airport and a nongovernmental entity relating to the sale, use, development, or lease of airport facilities; providing for expiration of 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 Government Operations Subcommittee and Representative(s) Bi-leca—

HB 7079—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 of 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 for retroactive application of the exemption; providing an exception to the exemption for a person engaged in bona fide research provided certain conditions are met; 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; and Governmental Oversight and Accountability.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 27 was corrected and approved.

CO-INTRODUCERS

Senators Alexander—CS for SCR 4, SB 704; Altman—CS for SCR 4; Benacquisto—CS for SCR 4, CS for CS for SB 488, SB 704; Bennett—CS for SCR 4, SB 704; Bogdanoff—CS for SCR 4, SB 704; Braynon—SB 704; Dean—CS for SCR 4, SB 704; Detert—CS for SCR 4, SB 704; Diaz de la Portilla—CS for SCR 4, SB 418, SB 514, SB 704, SM 954, SB 978, CS for SB 1158, CS for SB 1754; Dockery—CS for SCR 4, SB 704; Evers—SB 704; Fasano—CS for SCR 4, SB 704; Flores—CS for SCR 4, SB 704; Gaetz—CS for SCR 4; Garcia—CS for SCR 4, SB 704; Gardiner—CS for SCR 4, SB 704; Haridopolos—SB 704, CS for CS for SJR 1538; Hays—CS for SCR 4, SB 704; Hill—SB 704; Jones—CS for SCR 4, SB 704; Joyner—SB 704; Latvala—CS for SCR 4, SB 704; Lynn—CS for SCR 4, SB 704; Margolis—SB 704; Montford—CS for SCR 4, SB 704; Negron—CS for SCR 4, SB 704; Norman—CS for SCR 4, SB 704; Oelrich—CS for SCR 4, CS for SB 84, SB 330, SM 358, CS for SB 376, SB 626, SB 704, CS for CS for SB 1414, CS for CS for SJR 1538, CS for SB 1676, CS for SB 1886; Rich—SB 704; Richter—CS for SCR 4, SB 704; Ring—SB 704; Simmons—CS for SCR 4, SB 704; Siplin—SB 704; Smith—SB 704; Sobel—SB 704; Storms—CS for SCR 4, SB 704; Thrasher—CS for SCR 4, SB 704; Wise—SB 704

RECESS

On motion by Senator Thrasher, the Senate recessed at 3:24 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Friday, April 29 or upon call of the President.