



# Journal of the Senate

Number 4—Regular Session

Wednesday, January 29, 2020

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## CALL TO ORDER

The Senate was called to order by President Galvano at 4:00 p.m. A quorum present—39:

|               |           |           |
|---------------|-----------|-----------|
| Mr. President | Diaz      | Pizzo     |
| Albritton     | Farmer    | Powell    |
| Baxley        | Flores    | Rader     |
| Bean          | Gainer    | Rodriguez |
| Benacquisto   | Gibson    | Rouson    |
| Berman        | Gruters   | Simmons   |
| Book          | Harrell   | Simpson   |
| Bracy         | Hooper    | Stargel   |
| Bradley       | Hutson    | Stewart   |
| Brandes       | Mayfield  | Taddeo    |
| Braynon       | Montford  | Thurston  |
| Broxson       | Passidomo | Torres    |
| Cruz          | Perry     | Wright    |

## PRAYER

The following prayer was offered by Father Chuck Ruoff, St. Peter the Apostle Catholic Church, Naples:

God of power and might, we come to you today asking for your guidance, wisdom, and support as we continue this 2020 Session of the Florida State Senate. Assist with your spirit of counsel and fortitude this legislative body and other government leaders of this state and of these United States. Help us to engage in meaningful discussion. Allow this body to grow closer as a group and nurture the bonds of community.

Please bless the efforts of our hands, the bonds between us, and the influence of our work in this location and beyond. Fill us with your grace as this membership makes decisions that affect its constituents. We ask that your blessing will rest on this team and that you grant them great vision and enthusiasm for their work.

Finally, continue to remind us that what we do and all that is accomplished here is for the pursuit of truth for the greater glory of you and for the service of humanity. Amen.

## PLEDGE

Senate Pages, Aaron Johnson of Stuart, grandson of Senator Harrell; Nicole Kelly of Tallahassee; Daphnica-Love Pierre of Orlando; and Howard Williams, Jr. of Orlando, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

## MOMENT OF SILENCE

At the request of Senator Bracy, the Senate observed a moment of silence in honor of basketball star Kobe Bryant, his daughter Gianna, and the seven other passengers who died in a helicopter crash on Sunday, January 26, 2020.

## SPECIAL GUESTS

The President recognized his mother, Betty Galvano, who was present in the gallery.

## BILLS ON THIRD READING

**SB 172**—A bill to be entitled An act relating to the Florida Drug and Cosmetic Act; amending s. 499.002, F.S.; preempting the regulation of over-the-counter proprietary drugs or cosmetics to the state; providing an effective date.

—was read the third time by title.

On motion by Senator Bradley, **SB 172** was passed and certified to the House. The vote on passage was:

Yeas—25

|               |          |           |
|---------------|----------|-----------|
| Mr. President | Flores   | Montford  |
| Albritton     | Gainer   | Passidomo |
| Baxley        | Gibson   | Perry     |
| Bean          | Gruters  | Simmons   |
| Benacquisto   | Harrell  | Simpson   |
| Book          | Hooper   | Stargel   |
| Bradley       | Hutson   | Wright    |
| Brandes       | Lee      |           |
| Diaz          | Mayfield |           |

Nays—14

|         |           |          |
|---------|-----------|----------|
| Berman  | Pizzo     | Stewart  |
| Bracy   | Powell    | Taddeo   |
| Braynon | Rader     | Thurston |
| Cruz    | Rodriguez | Torres   |
| Farmer  | Rouson    |          |

## SPECIAL ORDER CALENDAR

Consideration of **CS for SB 356** was deferred.

On motion by Senator Gibson—

**SB 400**—A bill to be entitled An act relating to elder abuse fatality review teams; creating s. 415.1103, F.S.; authorizing the establishment

of elder abuse fatality review teams in each judicial circuit, to be housed, for administrative purposes only, in the Department of Elderly Affairs; providing conditions for review team membership, establishment, and organization; specifying requirements for a review team's operations and meeting schedules; requiring that the administrative costs of operating a review team be paid by team members or the entities they represent; authorizing elder abuse fatality review teams in existence on a certain date to continue to exist; requiring such existing teams to comply with specified requirements; specifying review team duties; requiring each review team to annually submit to the department by a certain date a summary report containing specified information; requiring the department to annually prepare a summary report based on the review teams' information and submit such report to the Governor, the Legislature, and the Department of Children and Families; providing immunity from monetary liability for review team members under certain conditions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 400** was placed on the calendar of Bills on Third Reading.

On motion by Senator Stargel—

**CS for CS for SB 404**—A bill to be entitled An act relating to abortion; amending s. 390.0111, F.S.; reclassifying the criminal offense for a specified violation; amending s. 390.01114, F.S.; revising the short title; prohibiting physicians from performing or inducing the termination of the pregnancy of a minor unless specified requirements are satisfied; requiring a physician to obtain written consent from a minor's parent or legal guardian before performing or inducing a termination of the pregnancy of a minor; requiring the consenting parent or legal guardian to provide specified proof of identification and a specified document to the physician; providing requirements for the document; providing exceptions to such consent requirement; providing criminal penalties for physicians; revising provisions relating to the procedures for judicial waiver to conform to changes made by the act; amending s. 27.511, F.S.; conforming a provision to changes made by the act; providing severability; providing an effective date.

—was read the second time by title.

Senator Stewart moved the following amendment which failed:

**Amendment 1 (927186) (with title amendment)**—Between lines 284 and 285 insert:

Section 3. Paragraph (n) of subsection (2) of section 1003.42, Florida Statutes, is amended to read:

1003.42 Required instruction.—

(2) Members of the instructional staff of the public schools, subject to the rules of the State Board of Education and the district school board, shall teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historical accuracy, following the prescribed courses of study, and employing approved methods of instruction, the following:

(n) Comprehensive health education that addresses concepts of community health; consumer health; environmental health; family life, including an awareness of the benefits of sexual abstinence as the expected standard and the consequences of teenage pregnancy; *the full range of contraceptive methods available to prevent teenage pregnancy*; mental and emotional health; injury prevention and safety; Internet safety; nutrition; personal health; prevention and control of disease; and substance use and abuse. The health education curriculum for students in grades 7 through 12 shall include a teen dating violence and abuse component that includes, but is not limited to, the definition of dating violence and abuse, the warning signs of dating violence and abusive behavior, the characteristics of healthy relationships, measures to prevent and stop dating violence and abuse, and community resources available to victims of dating violence and abuse. *The Department of Health, in consultation with the department, shall develop instructional materials regarding the full range of contraceptive methods available to prevent teenage pregnancy, including the efficacy of each method, which must be in easily comprehensible language and include only medically*

*accurate, evidence-based information. School districts shall include the instructional materials in their health education curriculum.*

The State Board of Education is encouraged to adopt standards and pursue assessment of the requirements of this subsection. A character development program that incorporates the values of the recipients of the Congressional Medal of Honor and that is offered as part of a social studies, English Language Arts, or other schoolwide character building and veteran awareness initiative meets the requirements of paragraphs (s) and (t).

And the title is amended as follows:

Delete line 18 and insert: made by the act; amending s. 1003.42, F.S.; revising the requirements for comprehensive health education provided in public schools to include coverage of the full range of contraceptive methods available to prevent teenage pregnancy; requiring the Department of Health, in consultation with the Department of Education, to develop instructional materials; providing requirements for the materials; requiring school districts to include the materials in their health education curriculum; amending s. 27.511, F.S.; conforming

Senator Farmer moved the following amendment:

**Amendment 2 (909932) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Section 390.01117, Florida Statutes, is created to read:

390.01117 *Parental consent for abortion.*—

(1) *SHORT TITLE.*—*This section may be cited as the “Parental Consent for Abortion Act.”*

(2) *DEFINITIONS.*—*As used in this section, the term:*

(a) *“Consent” means a notarized written statement signed by a minor and either her mother, her father, or her legal guardian declaring that the minor is pregnant, that she intends to seek an abortion, and that her mother, father, or legal guardian, as applicable, consents to the abortion.*

(b) *“Minor” means an unemancipated person younger than 18 years of age.*

(c) *“Statement of veto of abortion” means a written statement signed by a minor and either her mother, her father, or her legal guardian declaring that the minor is pregnant, that she desires an abortion, and that her mother, father, or legal guardian, as applicable, objects to the abortion, including a detailed explanation by the minor's mother, father, or legal guardian of the reasons for his or her veto of the abortion.*

(3) *CONSENT OF ONE PARENT OR LEGAL GUARDIAN REQUIRED.*—*A physician may not perform an abortion on a minor unless the physician has been presented with consent as defined in this section.*

(4) *EXCEPTIONS.*—*Consent is not required under subsection (3) if:*

(a) *The attending physician certifies in the minor's medical record that a medical emergency, as defined in s. 390.01114(2)(d), exists and there is insufficient time to obtain consent;*

(b) *The attending physician certifies in the minor's medical record that the minor's parent or legal guardian has failed to fully and properly complete a statement of veto of abortion within the required time limit established in subsection (5); or*

(c) *Consent is waived under subsection (7).*

(5) *PROCEDURE FOR STATEMENT OF VETO OF ABORTION.*—

(a) *A minor may request written documentation of a parent's or legal guardian's decision to veto an abortion in the form of a statement of veto of abortion.*

(b) *A parent or legal guardian who vetoes a minor's abortion must complete and sign the statement of veto of abortion within 3 days after the minor requests the statement. A parent's or legal guardian's failure to fully and properly complete a statement of veto of abortion within the*

required 3-day timeframe constitutes a waiver of the parent's or legal guardian's ability to veto the minor's abortion.

(c) Forms for a statement of veto of abortion shall be made available to a minor both online and in print by all of the following entities:

1. Any abortion provider.
2. Any crisis pregnancy center.
3. Any school counselor.
4. Any court participating in the judicial waiver process.
5. The Florida Department of Health.

**(6) DUTIES AND LIABILITIES ASSOCIATED WITH STATEMENTS OF VETO OF ABORTION.—**

(a) A parent or legal guardian who has completed a statement of veto of abortion is financially responsible for all medical costs associated with the continuation of a pregnancy as a result of the parent's or legal guardian's objection to the abortion, including, but not limited to, all of the following:

1. Medical appointments, procedures, and equipment.
2. Prescription medication.
3. Nonprescription medication.
4. Vitamins or nutritional supplements.
5. Psychological care.
6. Psychiatric care.

(b) A parent or legal guardian who has completed a statement of veto of abortion is financially responsible for all education costs ordinarily or customarily related to a child born as a result of the parent's or legal guardian's objection to the abortion, including, but not limited to, all of the following:

1. Costs associated with child care, such as day care or babysitting.
2. Pre-kindergarten.
3. Private education tuition and fees.
4. Parochial education tuition and fees.
5. Educational supplies, such as notebooks, pens, pencils, and backpacks.
6. Tutoring.
7. College or university tuition at a private or public institution.
8. Special education programs.

(c) A parent or legal guardian who has completed a statement of veto of abortion is financially responsible for all costs ordinarily and customarily related to providing food and housing for a child born as a result of the parent's or legal guardian's veto of abortion, including, but not limited to, all of the following:

1. Rent or mortgage for a living space.
2. Disposable or reusable diapers.
3. Clothing.
4. Food.
5. Hygiene items, such as toothbrushes, toothpaste, or sanitary napkins.

**(7) PROCEDURE FOR JUDICIAL WAIVER OF CONSENT.—**

(a) A minor may petition any circuit court in the district in which the minor resides for a waiver of the right of the mother, father, or legal

guardian to veto an abortion and may participate in proceedings on her own behalf. The petition must include a statement that the minor is pregnant and is unemancipated, that a parent or a legal guardian of the minor has vetoed her right to an abortion, and that the minor wishes to obtain an abortion regardless of the express veto of her parent or legal guardian. The circuit court shall advise the minor that she has a right to court-appointed counsel and shall provide her with counsel upon her request. The court also may appoint a guardian ad litem for the minor. A guardian ad litem appointed under this subsection must maintain the confidentiality of the minor's identity.

(b) Court proceedings under this section shall be confidential and must ensure the anonymity of the minor. All court proceedings under this section shall be sealed. The minor may file her petition in the court using a pseudonym or using solely her initials. All documents related to this petition shall be confidential and may not be made available to the public. These proceedings shall be given precedence over other pending matters to the extent necessary to ensure that the court reaches a decision promptly. The court shall rule, and issue written findings of fact and conclusions of law, within 3 business days after the petition is filed, except that the 3-business-day limitation may be extended at the request of the minor.

1. If the court fails to rule within the 3-business-day period and an extension has not been requested, the minor may immediately petition for a hearing upon the expiration of the 3-business-day period to the chief judge of the circuit, who must ensure that a hearing is held within 48 hours after receipt of the minor's petition and that an order is entered within 24 hours after the hearing.

2. If the circuit court does not grant a judicial waiver of consent, the minor has the right to an appeal. An appellate court must rule within 7 days after receipt of the appeal, but a ruling may be remanded with further instruction, in which case a ruling must be made within 3 business days after the remand. The reason for overturning a ruling on appeal must be based on abuse of discretion by the court and may not be based on the weight of the evidence presented to the circuit court, since the proceeding is a nonadversarial proceeding.

(c) If the court finds, by clear and convincing evidence, that the minor is sufficiently mature to decide whether to terminate her pregnancy, the court shall issue an order authorizing the minor to obtain an abortion without the consent of a parent or legal guardian. If the court does not make the finding specified in this paragraph or paragraph (d), it must dismiss the petition. The court shall consider whether there may be any undue influence by another on the minor's decision to have an abortion and all of the following factors concerning the minor:

1. Age.
2. Overall intelligence.
3. Emotional development and stability.
4. Credibility and demeanor as a witness.
5. Ability to accept responsibility.
6. Ability to assess both the immediate and long-range consequences of her choices.
7. Ability to understand and explain the medical risks of terminating her pregnancy and to apply that understanding to her decision.

(d) If the court finds, by a preponderance of the evidence, that the petitioner is the victim of child abuse or sexual abuse, as those terms are defined in s. 390.01114(2), inflicted by one or both of her parents or her legal guardian, or finds, by clear and convincing evidence, that requiring the consent of a parent or legal guardian is not in the best interest of the petitioner, the court shall issue an order authorizing the minor to obtain an abortion without the consent of a parent or legal guardian. The best-interest standard does not include financial best interest or financial considerations or the potential financial impact on the minor or her family if she does not terminate the pregnancy. If the court finds evidence of child abuse or sexual abuse of the petitioner by any person, the court shall report the evidence of child abuse or sexual abuse of the petitioner, as provided in s. 39.201. If the court does not make the finding specified in this paragraph or paragraph (c), it must dismiss the petition.

(e) If the court finds, by a preponderance of the evidence, that a statement of veto of abortion is based predominantly on the philosophical views of the parent or legal guardian, and not on the best interest of the minor, the court shall grant a judicial waiver of consent.

(f) A court that conducts proceedings under this section shall:

1. Provide for a written transcript of all testimony and proceedings;
2. Issue a final written order containing factual findings and legal conclusions supporting its decision, including factual findings and legal conclusions relating to the maturity of the minor as provided under paragraph (c); and
3. Order that a confidential record be maintained.

(g) All hearings under this section, including appeals, shall remain confidential and closed to the public, as provided by court rule.

(h) An expedited appeal shall be made available, as the Supreme Court provides by rule, to any minor to whom the circuit court denies a waiver of consent. An order authorizing an abortion without parental consent is not subject to appeal.

(i) Filing fees or court costs may not be required of any minor who petitions a court for a waiver of consent under this subsection at either the trial or the appellate level.

(j) A county is not required to pay the salaries, costs, or expenses of any counsel appointed by the court under this subsection.

(8) **RULEMAKING.**—The Supreme Court is requested to adopt rules and forms for statements of veto of abortion and for petitions for judicial waiver to ensure that proceedings under subsections (6) and (8) are handled expeditiously and in a manner consistent with this section. The Supreme Court is also requested to adopt rules to ensure that the hearings protect the confidentiality of the minor's identity and the confidentiality of the proceedings.

(9) **CRIMINAL PENALTIES AND CIVIL REMEDIES.**—

(a) Any person who willfully and intentionally performs an abortion with knowledge that, or with reckless disregard as to whether, the minor upon whom the abortion is to be performed is unemancipated without obtaining the required consent commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. It is a defense to prosecution under this section that the minor falsely represented her age or identity to the physician to be at least 18 years of age by displaying an apparently valid governmental record of identification such that a careful and prudent person under similar circumstances would have relied on the representation. The defense does not apply if the physician is shown to have had independent knowledge of the minor's actual age or identity or failed to use due diligence in determining her age or identity.

(b) Any person not authorized to provide consent under this section who provides consent commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(c) Failure to obtain consent from a person from whom consent is required under this section is prima facie evidence of failure to obtain consent and of interference with family relations in appropriate civil actions. Such prima facie evidence does not apply to any issue other than failure to obtain consent from the parent or legal guardian and interference with family relations in appropriate civil actions. The civil action may be based on a claim that the act was a result of negligence, gross negligence, wantonness, willfulness, intention, or other legal standard of care. Exemplary damages may be awarded in appropriate civil actions relevant to violations of this section.

(d) Failure to comply with the requirements of this section constitutes grounds for disciplinary action under each respective practice act and under s. 456.072.

(e) An individual whose pregnancy has continued as a result of her parent's or legal guardian's objection to an abortion may petition a court to recover any expenses provided in subsection (7) which have not been paid directly by the parent or legal guardian who completed the statement of veto of abortion.

(f) Any legal expenses and attorney fees incurred while recovering expenses provided in subsection (7) by an individual whose pregnancy has continued as a result of her parent's or legal guardian's objection to an abortion shall be paid by the parent or legal guardian who completed the statement of veto of abortion.

(g) An individual whose pregnancy has continued as a result of her parent's or legal guardian's objection to an abortion is entitled to financial compensation from the parent or legal guardian who completed a statement of veto of abortion for any physical, emotional, psychological, or financial damage incurred as a result of the continuation of pregnancy.

(h) Any legal expenses and attorney fees incurred while pursuing compensation under paragraph (g) shall be paid by the parent or legal guardian who completed the statement of veto of abortion.

(10) **CONSTRUCTION.**—

(a) This section may not be construed to create or recognize a right to abortion.

(b) This section may not be construed to limit the common law rights of parents or legal guardians.

(c) By enacting this section, the Legislature does not intend to make lawful an abortion that is currently unlawful.

(d) This section may not be construed to grant a parent or legal guardian who completes a statement of veto of abortion any right to make or influence decisions regarding a child born as a result of the continuation of pregnancy.

(11) **SEVERABILITY.**—Any provision of this section held to be invalid or unenforceable by its terms, or as applied to any person or circumstance, shall be construed so as to give it the maximum effect permitted by law, unless such holding is one of utter invalidity or unenforceability, in which event such provision shall be deemed severable and may not affect the remainder hereof or the application of such provision to other persons not similarly situated or to other, dissimilar circumstances.

Section 2. This act shall take effect July 1, 2020.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to parental consent for abortion; creating s. 390.01117, F.S.; providing a short title; defining terms; prohibiting a physician from performing an abortion on a minor unless the physician has been presented with consent from the minor's parent or legal guardian, as appropriate; providing exceptions; authorizing a minor to request a parent or legal guardian document his or her veto of an abortion in a specified form; requiring the parent or legal guardian to complete and sign the form within a specified timeframe; requiring certain entities to make the form available online and in printed format; providing duties and liabilities for a parent or legal guardian who completes the form; authorizing a minor to petition any circuit court in the district in which the minor resides for a waiver of consent required to obtain an abortion; requiring a specified statement to be included in the petition; providing for court-appointed counsel and confidentiality; requiring the court to give precedence to waiver of consent proceedings and requiring a court to rule within a specified timeframe; providing for an extension of time at the request of the minor; authorizing a minor to petition for a hearing upon the expiration of the time allowed and requiring the chief judge of the circuit to ensure that a hearing is held and that an order is entered within specified timeframes; providing for appeals within a specified timeframe; requiring the court to dismiss the petition if it does not make specified findings; requiring the court to consider undue influence on the minor's decision and specified factors; requiring the court to report any findings of evidence of child abuse or sexual abuse of the petitioner; requiring the court to grant a judicial waiver of consent under certain circumstances; requiring a court to provide for a written transcript of waiver of consent proceedings and to include certain findings and conclusions in its order; prohibiting filing fees or costs for a minor who petitions the court for a waiver of consent; specifying that a county is not required to pay the salaries, costs, or expenses of certain court-appointed counsel; requesting the Supreme

Court to adopt certain rules and forms relating to waiver of consent proceedings; providing criminal penalties, disciplinary action, and civil remedies; providing construction and severability; providing an effective date.

Pursuant to Rule 7.1, there being no objection, consideration of the following late-filed amendment was allowed:

Senator Farmer moved the following substitute amendment which was adopted:

**Substitute Amendment 3 (337664) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Section 390.01117, Florida Statutes, is created to read:

*390.01117 Parental consent for abortion.—*

(1) **SHORT TITLE.**—*This section may be cited as the “Parental Consent for Abortion Act.”*

(2) **DEFINITIONS.**—*As used in this section, the term:*

(a) *“Consent” means a notarized written statement signed by a minor and either her mother, her father, or her legal guardian declaring that the minor is pregnant, that she intends to seek an abortion, and that her mother, father, or legal guardian, as applicable, consents to the abortion.*

(b) *“Minor” means an unemancipated person younger than 18 years of age.*

(c) *“Statement of veto of abortion” means a written statement signed by a minor and either her mother, her father, or her legal guardian declaring that the minor is pregnant, that she desires an abortion, and that her mother, father, or legal guardian, as applicable, objects to the abortion, including a detailed explanation by the minor’s mother, father, or legal guardian of the reasons for his or her veto of the abortion.*

(3) **CONSENT OF ONE PARENT OR LEGAL GUARDIAN REQUIRED.**—*A physician may not perform an abortion on a minor unless the physician has been presented with consent as defined in this section.*

(4) **EXCEPTIONS.**—*Consent is not required under subsection (3) if:*

(a) *The attending physician certifies in the minor’s medical record that a medical emergency, as defined in s. 390.01114(2)(d), exists and there is insufficient time to obtain consent;*

(b) *The attending physician certifies in the minor’s medical record that the minor’s parent or legal guardian has failed to fully and properly complete a statement of veto of abortion within the required time limit established in subsection (5); or*

(c) *Consent is waived under subsection (7).*

(5) **PROCEDURE FOR STATEMENT OF VETO OF ABORTION.**—

(a) *A minor may request written documentation of a parent’s or legal guardian’s decision to veto an abortion in the form of a statement of veto of abortion.*

(b) *A parent or legal guardian who vetoes a minor’s abortion must complete and sign the statement of veto of abortion within 3 days after the minor requests the statement. A parent’s or legal guardian’s failure to fully and properly complete a statement of veto of abortion within the required 3-day timeframe constitutes a waiver of the parent’s or legal guardian’s ability to veto the minor’s abortion.*

(c) *Forms for a statement of veto of abortion shall be made available to a minor both online and in print by all of the following entities:*

1. Any abortion provider.
2. Any crisis pregnancy center.
3. Any school counselor.
4. Any court participating in the judicial waiver process.
5. The Florida Department of Health.

(6) **DUTIES AND LIABILITIES ASSOCIATED WITH STATEMENTS OF VETO OF ABORTION.**—

(a) *A parent or legal guardian who has completed a statement of veto of abortion is financially responsible for all medical costs associated with the continuation of a pregnancy as a result of the parent’s or legal guardian’s objection to the abortion, including, but not limited to, all of the following:*

1. Medical appointments, procedures, and equipment.
2. Prescription medication.
3. Nonprescription medication.
4. Vitamins or nutritional supplements.
5. Psychological care.
6. Psychiatric care.

(b) *A parent or legal guardian who has completed a statement of veto of abortion is financially responsible for all education costs ordinarily or customarily related to a child born as a result of the parent’s or legal guardian’s objection to the abortion, including, but not limited to, all of the following:*

1. Costs associated with child care, such as day care or babysitting.
2. Pre-kindergarten.
3. Private education tuition and fees.
4. Parochial education tuition and fees.
5. Educational supplies, such as notebooks, pens, pencils, and backpacks.
6. Tutoring.
7. College or university tuition at a private or public institution.
8. Special education programs.

(c) *A parent or legal guardian who has completed a statement of veto of abortion is financially responsible for all costs ordinarily and customarily related to providing food and housing for a child born as a result of the parent’s or legal guardian’s veto of abortion, including, but not limited to, all of the following:*

1. Rent or mortgage for a living space.
2. Disposable or reusable diapers.
3. Clothing.
4. Food.
5. Hygiene items, such as toothbrushes, toothpaste, or sanitary napkins.

(7) **PROCEDURE FOR JUDICIAL WAIVER OF CONSENT.**—

(a) *A minor may petition any circuit court in the district in which the minor resides for a waiver of the right of the mother, father, or legal guardian to veto an abortion and may participate in proceedings on her own behalf. The petition must include a statement that the minor is pregnant and is unemancipated, that a parent or a legal guardian of the minor has vetoed her right to an abortion, and that the minor wishes to obtain an abortion regardless of the express veto of her parent or legal guardian. The circuit court shall advise the minor that she has a right to court-appointed counsel and shall provide her with counsel upon her request. The court also may appoint a guardian ad litem for the minor. A guardian ad litem appointed under this subsection must maintain the confidentiality of the minor’s identity.*

(b) *Court proceedings under this section shall be confidential and must ensure the anonymity of the minor. All court proceedings under this section shall be sealed. The minor may file her petition in the court using a pseudonym or using solely her initials. All documents related to this*

*petition shall be confidential and may not be made available to the public. These proceedings shall be given precedence over other pending matters to the extent necessary to ensure that the court reaches a decision promptly. The court shall rule, and issue written findings of fact and conclusions of law, within 3 business days after the petition is filed, except that the 3-business-day limitation may be extended at the request of the minor.*

*1. If the court fails to rule within the 3-business-day period and an extension has not been requested, the minor may immediately petition for a hearing upon the expiration of the 3-business-day period to the chief judge of the circuit, who must ensure that a hearing is held within 48 hours after receipt of the minor's petition and that an order is entered within 24 hours after the hearing.*

*2. If the circuit court does not grant a judicial waiver of consent, the minor has the right to an appeal. An appellate court must rule within 7 days after receipt of the appeal, but a ruling may be remanded with further instruction, in which case a ruling must be made within 3 business days after the remand. The reason for overturning a ruling on appeal must be based on abuse of discretion by the court and may not be based on the weight of the evidence presented to the circuit court, since the proceeding is a nonadversarial proceeding.*

*(c) If the court finds, by clear and convincing evidence, that the minor is sufficiently mature to decide whether to terminate her pregnancy, the court shall issue an order authorizing the minor to obtain an abortion without the consent of a parent or legal guardian. If the court does not make the finding specified in this paragraph, paragraph (d), or paragraph (e), it must dismiss the petition. The court shall consider whether there may be any undue influence by another on the minor's decision to have an abortion and all of the following factors concerning the minor:*

- 1. Age.*
- 2. Overall intelligence.*
- 3. Emotional development and stability.*
- 4. Credibility and demeanor as a witness.*
- 5. Ability to accept responsibility.*
- 6. Ability to assess both the immediate and long-range consequences of her choices.*
- 7. Ability to understand and explain the medical risks of terminating her pregnancy and to apply that understanding to her decision.*

*(d) If the court finds, by a preponderance of the evidence, that the petitioner is the victim of child abuse or sexual abuse, as those terms are defined in s. 390.01114(2), inflicted by one or both of her parents or her legal guardian, or finds, by clear and convincing evidence, that requiring the consent of a parent or legal guardian is not in the best interest of the petitioner, the court shall issue an order authorizing the minor to obtain an abortion without the consent of a parent or legal guardian. The best-interest standard does not include financial best interest or financial considerations or the potential financial impact on the minor or her family if she does not terminate the pregnancy. If the court finds evidence of child abuse or sexual abuse of the petitioner by any person, the court shall report the evidence of child abuse or sexual abuse of the petitioner, as provided in s. 39.201. If the court does not make the finding specified in this paragraph, paragraph (c), or paragraph (e), it must dismiss the petition.*

*(e) If the court finds, by a preponderance of the evidence, that a statement of veto of abortion is based predominantly on the philosophical views of the parent or legal guardian, and not on the best interest of the minor, the court shall grant a judicial waiver of consent.*

*(f) A court that conducts proceedings under this section shall:*

- 1. Provide for a written transcript of all testimony and proceedings;*
- 2. Issue a final written order containing factual findings and legal conclusions supporting its decision, including factual findings and legal conclusions relating to the maturity of the minor as provided under paragraph (c); and*

*3. Order that a confidential record be maintained.*

*(g) All hearings under this section, including appeals, shall remain confidential and closed to the public, as provided by court rule.*

*(h) An expedited appeal shall be made available, as the Supreme Court provides by rule, to any minor to whom the circuit court denies a waiver of consent. An order authorizing an abortion without parental consent is not subject to appeal.*

*(i) Filing fees or court costs may not be required of any minor who petitions a court for a waiver of consent under this subsection at either the trial or the appellate level.*

*(j) A county is not required to pay the salaries, costs, or expenses of any counsel appointed by the court under this subsection.*

*(8) RULEMAKING.—The Supreme Court is requested to adopt rules and forms for statements of veto of abortion and for petitions for judicial waiver to ensure that proceedings under subsections (6) and (7) are handled expeditiously and in a manner consistent with this section. The Supreme Court is also requested to adopt rules to ensure that the hearings protect the confidentiality of the minor's identity and the confidentiality of the proceedings.*

#### **(9) CRIMINAL PENALTIES AND CIVIL REMEDIES.—**

*(a) Any person who willfully and intentionally performs an abortion with knowledge that, or with reckless disregard as to whether, the minor upon whom the abortion is to be performed is unemancipated without obtaining the required consent commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. It is a defense to prosecution under this section that the minor falsely represented her age or identity to the physician to be at least 18 years of age by displaying an apparently valid governmental record of identification such that a careful and prudent person under similar circumstances would have relied on the representation. The defense does not apply if the physician is shown to have had independent knowledge of the minor's actual age or identity or failed to use due diligence in determining her age or identity.*

*(b) Any person not authorized to provide consent under this section who provides consent commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.*

*(c) Failure to obtain consent from a person from whom consent is required under this section is prima facie evidence of failure to obtain consent and of interference with family relations in appropriate civil actions. Such prima facie evidence does not apply to any issue other than failure to obtain consent from the parent or legal guardian and interference with family relations in appropriate civil actions. The civil action may be based on a claim that the act was a result of negligence, gross negligence, wantonness, willfulness, intention, or other legal standard of care. Exemplary damages may be awarded in appropriate civil actions relevant to violations of this section.*

*(d) Failure to comply with the requirements of this section constitutes grounds for disciplinary action under each respective practice act and under s. 456.072.*

*(e) An individual whose pregnancy has continued as a result of her parent's or legal guardian's objection to an abortion may petition a court to recover any expenses provided in subsection (6) which have not been paid directly by the parent or legal guardian who completed the statement of veto of abortion.*

*(f) Any legal expenses and attorney fees incurred while recovering expenses provided in subsection (6) by an individual whose pregnancy has continued as a result of her parent's or legal guardian's objection to an abortion shall be paid by the parent or legal guardian who completed the statement of veto of abortion.*

*(g) An individual whose pregnancy has continued as a result of her parent's or legal guardian's objection to an abortion is entitled to financial compensation from the parent or legal guardian who completed a statement of veto of abortion for any physical, emotional, psychological, or financial damage incurred as a result of the continuation of pregnancy.*

(h) Any legal expenses and attorney fees incurred while pursuing compensation under paragraph (g) shall be paid by the parent or legal guardian who completed the statement of veto of abortion.

(10) CONSTRUCTION.—

(a) This section may not be construed to create or recognize a right to abortion.

(b) This section may not be construed to limit the common law rights of parents or legal guardians.

(c) By enacting this section, the Legislature does not intend to make lawful an abortion that is currently unlawful.

(d) This section may not be construed to grant a parent or legal guardian who completes a statement of veto of abortion any right to make or influence decisions regarding a child born as a result of the continuation of pregnancy.

(11) SEVERABILITY.—Any provision of this section held to be invalid or unenforceable by its terms, or as applied to any person or circumstance, shall be construed so as to give it the maximum effect permitted by law, unless such holding is one of utter invalidity or unenforceability, in which event such provision shall be deemed severable and may not affect the remainder hereof or the application of such provision to other persons not similarly situated or to other, dissimilar circumstances.

Section 2. This act shall take effect July 1, 2020.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to parental consent for abortion; creating s. 390.01117, F.S.; providing a short title; defining terms; prohibiting a physician from performing an abortion on a minor unless the physician has been presented with consent from the minor's parent or legal guardian, as appropriate; providing exceptions; authorizing a minor to request a parent or legal guardian document his or her veto of an abortion in a specified form; requiring the parent or legal guardian to complete and sign the form within a specified timeframe; requiring certain entities to make the form available online and in printed format; providing duties and liabilities for a parent or legal guardian who completes the form; authorizing a minor to petition any circuit court in the district in which the minor resides for a waiver of consent required to obtain an abortion; requiring a specified statement to be included in the petition; providing for court-appointed counsel and confidentiality; requiring the court to give precedence to waiver of consent proceedings and requiring a court to rule within a specified timeframe; providing for an extension of time at the request of the minor; authorizing a minor to petition for a hearing upon the expiration of the time allowed and requiring the chief judge of the circuit to ensure that a hearing is held and that an order is entered within specified timeframes; providing for appeals within a specified timeframe; requiring the court to dismiss the petition if it does not make specified findings; requiring the court to consider undue influence on the minor's decision and specified factors; requiring the court to report any findings of evidence of child abuse or sexual abuse of the petitioner; requiring the court to grant a judicial waiver of consent under certain circumstances; requiring a court to provide for a written transcript of waiver of consent proceedings and to include certain findings and conclusions in its order; prohibiting filing fees or costs for a minor who petitions the court for a waiver of consent; specifying that a county is not required to pay the salaries, costs, or expenses of certain court-appointed counsel; requesting the Supreme Court to adopt certain rules and forms relating to waiver of consent proceedings; providing criminal penalties, disciplinary action, and civil remedies; providing construction and severability; providing an effective date.

#### RECONSIDERATION OF AMENDMENT

On motion by Senator Benacquisto, the Senate reconsidered the vote by which **Substitute Amendment 3 (337664)** was adopted. **Substitute Amendment 3 (337664)** failed.

The question recurred on **Amendment 2 (909932)** which failed.

Senator Farmer moved the following amendment which failed:

**Amendment 4 (393252) (with directory and title amendments)**—Between lines 43 and 44 insert:

(2) DEFINITIONS.—As used in this section, the term:

(f) “Minor” means an *unemancipated* a person under the age of 16 ~~18~~ years.

And the directory clause is amended as follows:

Delete line 39 and insert: subsection (1), paragraph (f) of subsection (2), paragraph (b) of present subsection (3), and

And the title is amended as follows:

Delete line 5 and insert: revising the short title; revising the definition of the term “minor”; prohibiting physicians from

Senator Gibson moved the following amendment which failed:

**Amendment 5 (969342) (with directory and title amendments)**—Delete lines 44-63 and insert:

(2) DEFINITIONS.—As used in this section, the term:

(d) “Medical or mental health emergency” means a condition that, on the basis of a physician’s good faith clinical judgment, so complicates the medical or mental health condition of a pregnant woman as to necessitate the immediate termination of her pregnancy to avert her death, or for which a delay in the termination of her pregnancy will create serious risk of substantial and irreversible impairment of a major bodily function.

(3) *TERMINATION OF THE PREGNANCY OF A MINOR.*—A physician may not perform or induce the termination of a pregnancy of a minor unless the physician has complied with the notice and consent requirements of this section.

(4)(~~3~~) NOTIFICATION REQUIRED.—

(b) Notice is not required if:

1. In the physician’s good faith clinical judgment, a medical or mental health emergency exists and there is insufficient time for the attending physician to comply with the notification requirements. If a medical or mental health emergency exists, the physician shall make reasonable attempts, whenever possible, without endangering the minor, to contact the parent or legal guardian, and may proceed, but must document reasons for the medical necessity in the patient’s medical records. The physician shall provide notice directly, in person or by telephone, to the parent or legal guardian, including details of the medical or mental health emergency and any additional risks to the minor. If the parent or legal guardian has not been notified within 24 hours after the termination of the pregnancy, the physician shall provide notice in writing, including details of the medical or mental health emergency and any

And the directory clause is amended as follows:

Delete line 39 and insert: subsection (1), paragraph (d) of subsection (2), paragraph (b) of present subsection (3), and

And the title is amended as follows:

Delete line 5 and insert: revising the short title; redefining the term “medical emergency” as “medical or mental health emergency”; prohibiting physicians from

Senator Berman moved the following amendments which failed:

**Amendment 6 (343056) (with directory and title amendments)**—Delete lines 44-145 and insert:

(2) DEFINITIONS.—As used in this section, the term:

(a) “Actual notice” means notice that is given directly, in person or by telephone, to a parent or ~~legal~~ guardian of a minor, by a physician, at

least 48 hours before the inducement or performance of a termination of pregnancy, and documented in the minor's files.

(b) "Child abuse" means abandonment, abuse, harm, mental injury, neglect, physical injury, or sexual abuse of a child as those terms are defined in ss. 39.01, 827.04, and 984.03.

(c) "Constructive notice" means notice that is given in writing, signed by the physician, and mailed at least 72 hours before the inducement or performance of the termination of pregnancy, to the last known address of the parent or ~~legal~~ guardian of the minor, by first-class mail and by certified mail, return receipt requested, and delivery restricted to the parent or ~~legal~~ guardian. After the 72 hours have passed, delivery is deemed to have occurred.

(d) "Guardian" means, with respect to a minor seeking notice or consent under this section, one of the following individuals:

1. The minor's biological mother or father.
2. The minor's stepmother or stepfather.
3. If the child is a ward, as defined in 744.102(22), the guardian appointed by the state for the minor.
4. The minor's grandmother or grandfather.
5. The minor's aunt or uncle.
6. Any trusted adult or relative with whom the minor has lived for at least 6 months.
7. A mental health professional identified in s. 490.003(7) or (8) or s. 491.003(13).

(e)~~(d)~~ "Medical emergency" means a condition that, on the basis of a physician's good faith clinical judgment, so complicates the medical condition of a pregnant woman as to necessitate the immediate termination of her pregnancy to avert her death, or for which a delay in the termination of her pregnancy will create serious risk of substantial and irreversible impairment of a major bodily function.

(g)~~(e)~~ "Sexual abuse" has the meaning ascribed in s. 39.01.

(f) "Minor" means a person under the age of 18 years.

(3) **TERMINATION OF THE PREGNANCY OF A MINOR.**—A physician may not perform or induce the termination of a pregnancy of a minor unless the physician has complied with the notice and consent requirements of this section.

(4)~~(3)~~ **NOTIFICATION REQUIRED.**—

(a) Actual notice shall be provided by the physician performing or inducing the termination of pregnancy before the performance or inducement of the termination of the pregnancy of a minor. The notice may be given by a referring physician. The physician who performs or induces the termination of pregnancy must receive the written statement of the referring physician certifying that the referring physician has given notice. If actual notice is not possible after a reasonable effort has been made, the physician performing or inducing the termination of pregnancy or the referring physician must give constructive notice. Notice given under this subsection by the physician performing or inducing the termination of pregnancy must include the name and address of the facility providing the termination of pregnancy and the name of the physician providing notice. Notice given under this subsection by a referring physician must include the name and address of the facility where he or she is referring the minor and the name of the physician providing notice. If actual notice is provided by telephone, the physician must actually speak with the parent or guardian, and must record in the minor's medical file the name of the parent or guardian provided notice, the phone number dialed, and the date and time of the call. If constructive notice is given, the physician must document that notice by placing copies of any document related to the constructive notice, including, but not limited to, a copy of the letter and the return receipt, in the minor's medical file. Actual notice given by telephone shall be confirmed in writing, signed by the physician, and mailed to the last known address of the parent or ~~legal~~ guardian of the minor, by first-

class mail and by certified mail, return receipt requested, with delivery restricted to the parent or ~~legal~~ guardian.

(b) Notice is not required if:

1. In the physician's good faith clinical judgment, a medical emergency exists and there is insufficient time for the attending physician to comply with the notification requirements. If a medical emergency exists, the physician shall make reasonable attempts, whenever possible, without endangering the minor, to contact the parent or ~~legal~~ guardian, and may proceed, but must document reasons for the medical necessity in the patient's medical records. The physician shall provide notice directly, in person or by telephone, to the parent or ~~legal~~ guardian, including details of the medical emergency and any additional risks to the minor. If the parent or ~~legal~~ guardian has not been notified within 24 hours after the termination of the pregnancy, the physician shall provide notice in writing, including details of the medical emergency and any additional risks to the minor, signed by the physician, to the last known address of the parent or ~~legal~~ guardian of the minor, by first-class mail and by certified mail, return receipt requested, with delivery restricted to the parent or ~~legal~~ guardian;

2. Notice is waived in writing by the person who is entitled to notice and such waiver is notarized, dated not more than 30 days before the termination of pregnancy, and contains a specific waiver of the right of the parent or ~~legal~~ guardian to notice of the minor's termination of pregnancy;

3. Notice is waived by the minor who is or has been married or has had the disability of nonage removed under s. 743.015 or a similar statute of another state;

4. Notice is waived by the patient because the patient has a minor child dependent on her; or

5. Notice is waived under subsection (6) ~~(4)~~.

(c) Violation of this subsection by a physician constitutes grounds for disciplinary action under s. 458.331 or s. 459.015.

(5) **PARENTAL CONSENT REQUIRED.**—

(a) A physician must obtain written consent from a parent or guardian before performing or inducing the termination of a pregnancy of a minor.

1. The consenting parent or guardian shall provide to the physician a copy of a government-issued proof of identification and written documentation establishing that he or she is the lawful parent or guardian of the minor. The parent or guardian shall certify in a signed, dated, and notarized document, initialed on each page, that he or she consents to the termination of the pregnancy of the minor. The document must include the following statement, which must precede the signature of the parent or guardian: "I, (insert name of parent or guardian), am the (select "parent" or "guardian," as appropriate) of (insert name of minor) and give consent for (insert name of physician) to perform or induce a termination of pregnancy on her. Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated in it are true." A copy of the parent's or guardian's government-issued proof of identification establishing that he or she is the minor's lawful parent or guardian must be attached to the notarized document.

2. The physician shall keep a copy of the proof of identification of the parent or guardian and the certified statement in the medical file of the minor for 5 years after the minor reaches the age of 18 years, but in no event less than 7 years.

3. A physician receiving consent from a parent or guardian under this section shall execute for inclusion in the medical record of the minor an affidavit stating: "I, (insert name of physician), certify that, according to my best information and belief, a reasonable person under similar circumstances would rely on the information presented by both the minor and her parent or guardian as sufficient evidence of identity."

(b) The consent of a parent or guardian is not required if:

1. Notification is not required as provided in subparagraph (4)(b)1., subparagraph (4)(b)3., subparagraph (4)(b)4., or subparagraph (4)(b)5.;



2. Notification is not required due to the existence of a waiver as provided in subparagraph (4)(b)2., if that waiver is signed by the minor's parent or guardian, is notarized, is dated within 30 days before the termination of the pregnancy, contains a specific waiver of the right of the parent or guardian to consent to the minor's termination of pregnancy, and a copy of a government-issued proof of identification and written documentation establishing that the person who signed the waiver is the lawful parent or guardian, as applicable, of the minor is attached to the waiver;

3. Consent is waived under subsection (6); or

4. In the physician's good faith clinical judgment, a medical emergency exists and there is insufficient time for the attending physician to comply with the consent requirement. If a medical emergency exists, the physician must make reasonable attempts, whenever possible, and without endangering the minor, to contact the parent or guardian of the minor, and may proceed, but must document reasons for the medical necessity in the minor patient's medical records. The physician shall inform the parent or guardian, in person or by telephone, within 24 hours after the termination of the pregnancy of the minor, including details of the medical emergency that necessitated the termination of the pregnancy without the parent's or guardian's consent. The physician shall also provide this information in writing to the parent or guardian at his or her last known address, by first-class mail or by certified mail, return receipt requested, with delivery restricted to the parent or guardian.

And the directory clause is amended as follows:

Delete lines 35-40 and insert:

Section 2. Section 390.01114, Florida Statutes, is amended to read:

And the title is amended as follows:

Delete line 5 and insert: revising the short title; revising definitions and defining the term "guardian"; prohibiting physicians from

**Amendment 7 (880790)**—Delete lines 69-129 and insert:

2. A licensed mental health counselor, a licensed psychologist, or a licensed psychiatrist certifies in the minor's medical record that abortion is in the best interest of the minor's mental health;

3. Notice is waived in writing by the person who is entitled to notice and such waiver is notarized, dated not more than 30 days before the termination of pregnancy, and contains a specific waiver of the right of the parent or legal guardian to notice of the minor's termination of pregnancy;

4. Notice is waived by the minor who is or has been married or has had the disability of nonage removed under s. 743.015 or a similar statute of another state;

5. Notice is waived by the patient because the patient has a minor child dependent on her; or

6. Notice is waived under subsection (6) (4).

(5) PARENTAL CONSENT REQUIRED.—

(a) A physician must obtain written consent from a parent or legal guardian before performing or inducing the termination of a pregnancy of a minor.

1. The consenting parent or legal guardian shall provide to the physician a copy of a government-issued proof of identification and written documentation establishing that he or she is the lawful parent or legal guardian of the minor. The parent or legal guardian shall certify in a signed, dated, and notarized document, initialed on each page, that he or she consents to the termination of the pregnancy of the minor. The document must include the following statement, which must precede the signature of the parent or guardian: "I, (insert name of parent or legal guardian), am the (select "parent" or "legal guardian," as appropriate) of (insert name of minor) and give consent for (insert name of physician) to perform or induce a termination of pregnancy on her. Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated in it are true." A copy of the parent's or legal guardian's

government-issued proof of identification establishing that he or she is the minor's lawful parent or legal guardian must be attached to the notarized document.

2. The physician shall keep a copy of the proof of identification of the parent or legal guardian and the certified statement in the medical file of the minor for 5 years after the minor reaches the age of 18 years, but in no event less than 7 years.

3. A physician receiving consent from a parent or guardian under this section shall execute for inclusion in the medical record of the minor an affidavit stating: "I, (insert name of physician), certify that, according to my best information and belief, a reasonable person under similar circumstances would rely on the information presented by both the minor and her parent or legal guardian as sufficient evidence of identity."

(b) The consent of a parent or guardian is not required if:

1. Notification is not required as provided in subparagraph (4)(b)1., subparagraph (4)(b)3., subparagraph (4)(b)4., or subparagraph (4)(b)5.;

2. Notification is not required due to the existence of a waiver as provided in subparagraph (4)(b)2., if that waiver is signed by the minor's parent or legal guardian, is notarized, is dated within 30 days before the termination of the pregnancy, contains a specific waiver of the right of the parent or legal guardian to consent to the minor's termination of pregnancy, and a copy of a government-issued proof of identification and written documentation establishing that the person who signed the waiver is the lawful parent or legal guardian, as applicable, of the minor is attached to the waiver;

3. Consent is waived under subsection (6);

4. A licensed mental health counselor, a licensed psychologist, or a licensed psychiatrist certifies in the minor's medical record that abortion is in the best interest of the minor's mental health; or

5. In the physician's good faith clinical judgment, a

## INTRODUCTION OF FORMER SENATORS

The President recognized former Senator Charlie Justice who was present in the chamber.

Senator Stargel moved the following amendment which was adopted:

**Amendment 8 (694892)**—Delete lines 86-127 and insert:

The parent or legal guardian shall certify in a signed, dated, and notarized document, initialed on each page, that he or she consents to the termination of the pregnancy of the minor. The document must include the following statement, which must precede the signature of the parent or guardian: "I, (insert name of parent or legal guardian), am the (select "parent" or "legal guardian," as appropriate) of (insert name of minor) and give consent for (insert name of physician) to perform or induce a termination of pregnancy on her. Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated in it are true." A copy of the parent's or legal guardian's government-issued proof of identification must be attached to the notarized document.

2. The physician shall keep a copy of the proof of identification of the parent or legal guardian and the certified statement in the medical file of the minor for 5 years after the minor reaches the age of 18 years, but in no event less than 7 years.

3. A physician receiving consent from a parent or guardian under this section shall execute for inclusion in the medical record of the minor an affidavit stating: "I, (insert name of physician), certify that, according to my best information and belief, a reasonable person under similar circumstances would rely on the information presented by both the minor and her parent or legal guardian as sufficient evidence of identity."

(b) The consent of a parent or guardian is not required if:

1. Notification is not required as provided in subparagraph (4)(b)1., subparagraph (4)(b)3., subparagraph (4)(b)4., or subparagraph (4)(b)5.;

2. Notification is not required due to the existence of a waiver as provided in subparagraph (4)(b)2., if that waiver is signed by the minor's parent or legal guardian, is notarized, is dated within 30 days before the termination of the pregnancy, contains a specific waiver of the right of the parent or legal guardian to consent to the minor's termination of pregnancy, and a copy of the parent's or legal guardian's government-issued proof of identification is attached to the waiver;

Senator Berman moved the following amendment which failed:

**Amendment 9 (458018)**—Delete lines 130-145 and insert: *medical emergency or risk to the pregnant patient's health exists and there is insufficient time for the attending physician to comply with the consent requirement. If a medical emergency or risk to the pregnant patient's health exists, the physician must make reasonable attempts, whenever possible, and without endangering the minor, to contact the parent or legal guardian of the minor, and may proceed with termination of the pregnancy of the minor, but must document reasons for the medical necessity in the minor patient's medical records. The physician shall inform the parent or legal guardian, in person or by telephone, within 24 hours after the termination of the pregnancy of the minor, including details of the medical emergency or risk to the pregnant patient's health which necessitated the termination of the pregnancy without the parent's or legal guardian's consent.*

Senator Book moved the following amendment which failed:

**Amendment 10 (404156) (with title amendment)**—Between lines 166 and 167 insert:

(d) *A minor who uses a false and counterfeit driver license or identification card to misrepresent her age or identity in order to obtain an abortion is immune from criminal prosecution that otherwise could be imposed for such conduct.*

And the title is amended as follows:

Delete line 16 and insert: for physicians; providing minors with immunity from criminal prosecution under certain circumstances; revising provisions relating to the

Senator Cruz offered the following amendment which was moved by Senator Rouson and failed:

**Amendment 11 (407778) (with title amendment)**—Delete lines 168-170 and insert:

(a) A minor may petition any circuit court *within the jurisdiction of the district court of appeal* in which the minor resides for a waiver of the ~~notice~~ requirements of *this section subsection (3)* and may participate in proceedings on her

And the title is amended as follows:

Delete line 16 and insert: for physicians; authorizing a minor to file a petition for judicial waiver in any circuit court within the jurisdiction of the appellate district in which she resides; revising provisions relating to the

Senator Gibson moved the following amendment which failed:

**Amendment 12 (237978) (with title amendment)**—Delete lines 180-197 and insert:

(b)1. Court proceedings under this ~~section subsection~~ must be given precedence over other pending matters to the extent necessary to ensure that the court reaches a decision promptly. The court shall rule, and issue written findings of fact and conclusions of law, within 3 ~~calendar business~~ days after the petition is filed, except that the 3-~~calendar-day~~ 3-business-day limitation may be extended at the request of the minor. If the court fails to rule within the 3-~~calendar-day~~ 3-business-day period and an extension has not been requested, the minor may immediately petition for a hearing upon the expiration of the 3-~~calendar-day~~ 3-business-day period to the chief judge of the circuit, who must ensure a hearing is held within 48 hours after receipt of the minor's petition and an order is entered within 24 hours after the hearing.

2. If the circuit court does not grant judicial waiver of the requirements of *this section notice*, the minor has the right to appeal. An ap-

pellate court must rule within 7 *calendar* days after receipt of appeal, but a ruling may be remanded with further instruction for a ruling within 3 ~~calendar business~~ days after the

And the title is amended as follows:

Delete line 16 and insert: for physicians; revising required timeframes for the disposition of petitions for judicial waivers; revising provisions relating to the

Senator Braynon moved the following amendment which failed:

**Amendment 13 (363704) (with title amendment)**—Delete lines 188-192 and insert:

~~requested, the petition is granted~~ *minor may immediately petition for a hearing upon the expiration of the 3-business-day period to the chief judge of the circuit, who must ensure a hearing is held within 48 hours after receipt of the minor's petition and an order is entered within 24 hours after the hearing.*

And the title is amended as follows:

Delete line 18 and insert: made by the act; providing that the petition for a judicial waiver is granted if the court fails to rule within a specified timeframe under certain circumstances; amending s. 27.511, F.S.; conforming

Senator Berman moved the following amendment which failed:

**Amendment 14 (938934) (with title amendment)**—Delete lines 202-203 and insert:

(c) *A minor is presumed to be sufficiently mature to decide whether to terminate her pregnancy. Unless if* the court finds, by clear and convincing evidence, that the minor is *not* sufficiently mature to decide whether to

And the title is amended as follows:

Delete line 18 and insert: made by the act; providing a presumption regarding a minor's maturity for purposes of determining whether a judicial waiver is required in order to terminate the minor's pregnancy; amending s. 27.511, F.S.; conforming

Senator Rader moved the following amendment which failed:

**Amendment 15 (380726) (with title amendment)**—Delete lines 211-223 and insert:

1. *Whether the minor can assess the immediate and long-range consequences of terminating the pregnancy and the consequences of continuing the pregnancy, especially those consequences that affect her own life* ~~The minor's:~~

~~a. Age.~~

~~b. Overall intelligence.~~

~~c. Emotional development and stability.~~

~~d. Credibility and demeanor as a witness.~~

~~e. Ability to accept responsibility.~~

~~f. Ability to assess both the immediate and long-range consequences of the minor's choices.~~

~~g. Ability to understand and explain the medical risks of terminating her pregnancy and to apply that understanding to her decision.~~

2. *Whether there may be any undue influence by another on any of the minor's decisions regarding her pregnancy decision to have an abortion.*

*A court may not consider a minor's sexual history, lifestyle, academic performance, or socioeconomic status in its judicial determination of maturity.*

And the title is amended as follows:

Delete line 18 and insert: made by the act; revising the factors a court must consider when making a determination in judicial waiver proceedings; amending s. 27.511, F.S.; conforming

Senator Cruz moved the following amendments which failed:

**Amendment 16 (458694) (with title amendment)**—Delete lines 219-221 and insert:

g. Ability to understand and explain the medical risks of terminating her pregnancy *based on medically accurate information* and to apply that understanding to her decision.

h. Ability to understand and explain the medical risks of continuing her pregnancy *based on medically accurate information and to apply that understanding to her decision.*

And the title is amended as follows:

Delete line 18 and insert: made by the act; revising the factors the court must consider when it makes certain findings in judicial waiver proceedings; amending s. 27.511, F.S.; conforming

**Amendment 17 (386300) (with title amendment)**—Delete lines 219-221 and insert:

g. Ability to understand and explain the medical risks of terminating her pregnancy *based on medically accurate information* and to apply that understanding to her decision.

And the title is amended as follows:

Delete line 18 and insert: made by the act; revising factors the court must consider when making certain findings in judicial waiver proceedings; amending s. 27.511, F.S.; conforming

Senator Book moved the following amendment which failed:

**Amendment 18 (581924) (with title amendment)**—Delete line 226 and insert:

inflicted by one or both of her parents or her guardian *or that the petitioner is pregnant as a result of rape, incest as defined in s. 826.04, or human trafficking, or the court finds by*

And the title is amended as follows:

Delete line 18 and insert: made by the act; requiring the court to grant a judicial waiver to a minor if it makes specified findings; amending s. 27.511, F.S.; conforming

Senator Berman moved the following amendment which failed:

**Amendment 19 (197648)**—Delete line 232 and insert: ~~notification of a parent or guardian.~~ *In determining a minor's best interest, the court shall consider whether the minor might suffer physical or emotional harm if the judicial waiver is denied.* The best-interest standard

Senator Cruz moved the following amendment which failed:

**Amendment 20 (754024) (with title amendment)**—Delete line 233 and insert: ~~may does not~~ include financial best interest or financial

And the title is amended as follows:

Delete line 16 and insert: for physicians; authorizing a court to include financial considerations in determining the best interest of the minor; revising provisions relating to the

Senator Gibson moved the following amendment which failed:

**Amendment 21 (207366) (with directory and title amendments)**—Between lines 284 and 285 insert:

(9) *TRAINING.*—*The Office of the State Courts Administrator shall develop and publish training materials for use by each clerk of the circuit court to train staff about the procedures and timeframes for judicial*

*wavers of notice and consent provided under this section. The training materials must be published on the Office of the State Courts Administrator's website in an easily downloadable format. The training materials must include information that is stated in plain, easily understandable language.*

Section 5. *The Legislature finds that it is an important state interest that each clerk of the circuit court be provided one full-time equivalent position for the purpose of implementing the training requirements of s. 390.01114(9), Florida Statutes.*

And the directory clause is amended as follows:

Delete line 38 and insert: subsections (3) and (5) and subsection (9) are added to that section, and

And the title is amended as follows:

Delete line 18 and insert: made by the act; requiring the Office of the State Courts Administrator to develop and publish materials for use by clerks of the circuit court to train staff on procedures and timeframes for the judicial waiver process; requiring the training materials to be published on the office's website in an easily downloadable format; requiring the information in the training materials to be stated in plain, easily understandable language; providing a legislative finding; allocating positions to clerks of the circuit court; amending s. 27.511, F.S.; conforming

Senator Berman moved the following amendment which failed:

**Amendment 22 (456390) (with title amendment)**—Between lines 284 and 285 insert:

Section 3. Section 390.027, Florida Statutes, is created to read:

*390.027 Preventing Unintended Pregnancies Pilot Program.—*

(1) *The Department of Health shall establish the Preventing Unintended Pregnancies Pilot Program using long-acting reversible contraception (LARC) in Duval, Hillsborough, and Palm Beach Counties. The purpose of the pilot program is to prevent or reduce unintended pregnancies in the counties participating in the pilot program. The department shall contract for LARC services with eligible family planning providers to implement the pilot program in each of the three counties. Each contract must provide for all of the following:*

(a) *The provision of LARC services, including the administration of implants, injections, and intrauterine devices to participants.*

(b) *The training of provider staff regarding the provision of LARC services, counseling strategies, and the management of side effects.*

(c) *Technical assistance to providers regarding issues such as coding, billing, pharmacy rules, and clinic management necessitated by the increased use of LARC services.*

(d) *General support to providers to expand their service capacity.*

(e) *Marketing and community outreach regarding the availability of LARC services and other currently available contraceptive services.*

(f) *Other services that the department considers necessary to ensure the health and safety of women who receive LARC services.*

(2) *The department shall apply for grants from federal agencies and other sources to supplement state funds provided for the pilot program.*

(3) *By January 1, 2022, the department shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the effectiveness of the pilot program. The department shall publish the report on its website. At a minimum, the report must include, but need not be limited to:*

(a) *An assessment of the operation of the pilot program, including any progress made in reducing the number of unintended pregnancies and subsequent births, especially among teenagers.*

(b) *An assessment of the effectiveness of the pilot program in increasing the availability of LARC services.*

(c) *The number and location of family planning providers that participated in the pilot program.*

(d) *The number of clients served by participating family planning providers.*

(e) *The number of times LARC services were provided by participating family planning providers.*

(f) *The average cost per client served.*

(g) *The demographic characteristics of clients served.*

(h) *The sources and amounts of funding used for the pilot program.*

(i) *A description of federal grants the department applied for in order to provide LARC services, including the outcomes of the grant applications.*

(j) *An analysis of the return on investment associated with the provision of LARC services with regard to tax dollars saved on health and social services.*

(k) *A description and analysis of marketing and outreach activities conducted to promote the availability of LARC services.*

(l) *Recommendations for improving the pilot program.*

Section 4. *For the 2020-2021 fiscal year, the sum of \$100,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Health for the purpose of implementing the Preventing Unintended Pregnancies Pilot Program. The department shall distribute the funds equally among the three counties participating in the pilot program. These funds may not be used to supplant or reduce any other appropriation of state funds to family planning providers or to the department for family planning services.*

And the title is amended as follows:

Delete line 18 and insert: *made by the act; creating s. 390.027, F.S.; requiring the Department of Health to establish the Preventing Unintended Pregnancies Pilot Program in specified counties; specifying the purpose of the pilot program; requiring the department to contract with family planning providers for the provision of certain contraceptive services; prescribing contract requirements; requiring the department to apply for federal grants for additional funding for the pilot program; requiring the department to submit a report to the Governor and the Legislature by a specified date; prescribing minimum requirements for the report; providing an appropriation; specifying conditions for the use of the appropriation; amending s. 27.511, F.S.; conforming*

Senator Cruz moved the following amendment which failed:

**Amendment 23 (454474) (with title amendment)**—Between lines 284 and 285 insert:

Section 3. Section 1006.064, Florida Statutes, is created to read:

*1006.064 Lactation rooms.—A high school that receives any funding from the state must designate at least one private lactation room, which may not be located inside a bathroom, for students who are nursing mothers to breastfeed or pump breast milk while on school grounds during regular school hours.*

And the title is amended as follows:

Delete line 18 and insert: *made by the act; creating s. 1006.064, F.S.; requiring certain high schools to designate lactation rooms for students who are nursing mothers to use for specified purposes; providing a requirement for the location of such rooms; amending s. 27.511, F.S.; conforming*

Senator Berman moved the following amendment which failed:

**Amendment 24 (771568) (with title amendment)**—Between lines 284 and 285 insert:

(9) **MATERIALS AND INFORMATION.**—

(a) *The Office of the State Courts Administrator shall develop and publish materials informing the public of the procedures for judicial waiver under this subsection. The materials must be published in hard copy format and posted on the Office of the State Courts Administrator's website on the webpage provided in paragraph (c) in an easily downloadable format. The materials must include information that is stated in plain, easily understandable language corresponding to a grade 5 reading level and must include all of the following information:*

1. *An explanation that a minor who is unable to obtain parental consent or a waiver of parental notification for an abortion may petition a circuit court to obtain a judicial waiver.*

2. *A statement that any information that could be used to identify a minor who petitions the court for a judicial waiver is confidential and exempt from public disclosure, that judges and court staff must maintain that confidentiality, and that any personal identifying information contained in a court record must be kept confidential.*

3. *A step-by-step guide detailing the procedures for obtaining a judicial waiver, from the initiation of a petition for judicial waiver to a court's final ruling, and, if applicable, by county, an expected timeline for proceedings; where the minor can locate and obtain materials, physically or online; where and how a petition and any necessary paperwork may be filed; and a list of important deadlines.*

4. *A list of each county's clerk of the court, including addresses, office hours, and the direct contact information for a staff member who is familiar with the judicial waiver procedures in a particular circuit's jurisdiction.*

5. *Information about how to access the names and contact information for attorneys who provide services on a pro bono basis to minors seeking a judicial waiver.*

6. *Information about the evidentiary standard that the court is required to use when deciding whether to grant or deny a judicial waiver, including a list of evidence the minor must provide to the court during the hearing.*

(b) *The Office of the State Courts Administrator must provide an adequate amount of published materials in hard copy format to each clerk of the court and to each health care provider that offers abortion services which include all of the information required in subparagraph 1. regarding judicial waiver procedures.*

(c) *The Office of the State Courts Administrator must publish a clearly visible hyperlink on its website which directs the public to a stand-alone webpage. The webpage may not share a uniform resource locator (URL) with any other information and must contain all of the information required in subparagraph 1. The hyperlink to the URL must clearly identify that it provides information regarding the judicial waiver procedures for a minor who is seeking to obtain an abortion without parental consent or notification.*

(d) *At least annually, the Office of the State Courts Administrator must review and, if necessary, update the materials and information required under this subsection for accuracy, including all contact information for the clerks of the court and the courthouses where a minor may file a petition for a judicial waiver.*

And the title is amended as follows:

Delete line 18 and insert: *made by the act; requiring the Office of the State Courts Administrator to develop and publish certain informational materials in hard copy format and online regarding procedures for obtaining judicial waivers; prescribing the format and content of the materials; providing for the distribution of the materials; requiring the office to publish a clearly visible website hyperlink to a specified web-*

page containing certain information on judicial waivers; requiring the office to annually review and update, as necessary, the informational materials, including certain specified information; amending s. 27.511, F.S.; conforming

Senator Book moved the following amendment which failed:

**Amendment 25 (467392) (with title amendment)**—Between lines 303 and 304 insert:

Section 4. Paragraph (i) is added to subsection (3) of section 381.96, Florida Statutes, to read:

381.96 Pregnancy support and wellness services.—

(3) CONTRACT REQUIREMENTS.—The department contract shall specify the contract deliverables, including financial reports and other reports due to the department, timeframes for achieving contractual obligations, and any other requirements the department determines are necessary, such as staffing and location requirements. The contract shall require the network to:

(i) *Prominently display inside its facilities information relating to the judicial waiver process available to minors under s. 390.01114 which is easily comprehensible and accurate, and to provide such information to eligible clients who are minors.*

And the title is amended as follows:

Delete line 19 and insert: a provision to changes made by the act; amending s. 381.96, F.S.; requiring certain organizations that provide pregnancy support and wellness services to prominently display certain information in their facilities; requiring the organizations to provide such information to certain clients; providing

Senator Stargel moved the following amendment which was adopted:

**Amendment 26 (115836) (with title amendment)**—Between lines 303 and 304 insert:

Section 4. Subsection (3) of section 743.065, Florida Statutes, is amended to read:

743.065 Unwed pregnant minor or minor mother; consent to medical services for minor or minor's child valid.—

(3) Nothing in this section ~~act~~ shall affect the provisions of chapter 390 ~~s. 390.0114~~.

And the title is amended as follows:

Delete line 19 and insert: a provision to changes made by the act; amending s. 743.065, F.S.; conforming a provision to changes made by the act; providing

Senator Cruz offered the following amendment which was moved by Senator Rouson and failed:

**Amendment 27 (532410)**—Delete line 310 and insert:

Section 5. This act shall take effect October 1, 2020.

Pursuant to Rule 4.19, **CS for CS for SB 404**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Stargel—

**CS for CS for SB 406**—A bill to be entitled An act relating to public records; creating s. 390.01118, F.S.; providing a public records exemption for information that could identify a minor which is contained in a record held by the court relating to the minor's petition to waive consent requirements to obtain an abortion; providing for future legislative review and repeal under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 406** was placed on the calendar of Bills on Third Reading.

#### SPECIAL GUESTS

Senator Broxson recognized his nephew, Daniel Merritt, who was present in the gallery.

#### MOTIONS

On motion by Senator Bradley, Senate Rule 7.1 was waived and the following deadlines were applied to **SB 2500** and **SB 2502**, expected to be considered on the Special Order Calendar on Wednesday, February 12, 2020:

- The deadline for filing main amendments to **SB 2500** and **SB 2502** was set for 1:30 p.m., Monday, February 10, 2020.
- The deadline for filing adhering amendments to **SB 2500** and **SB 2502** was set for 1:30 p.m., Tuesday, February 11, 2020.
- All amendments to the General Appropriations Bill must be balanced as explained.

On motion by Senator Benacquisto, the rules were waived and the following bill temporarily postponed on the Special Order Calendar this day was retained on the Special Order Calendar: **CS for SB 356**.

#### SPECIAL RECOGNITION

Senator Gibson recognized Senator Thurston whose birthday is tomorrow, January 30, and Senator Braynon, whose birthday is Saturday, February 1.

#### REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Wednesday, January 29, 2020: CS for SB 356, SB 400, CS for CS for SB 404, CS for CS for SB 406.

Respectfully submitted,  
Lizbeth Benacquisto, Rules Chair  
Kathleen Passidomo, Majority Leader  
Audrey Gibson, Minority Leader

The Committee on Community Affairs recommends the following pass: SB 748

**The bill was referred to the Committee on Appropriations under the original reference.**

The Committee on Agriculture recommends the following pass: SB 1772

**The bill was referred to the Appropriations Subcommittee on Agriculture, Environment, and General Government under the original reference.**

The Committee on Judiciary recommends the following pass: SB 28

**The bill was referred to the Appropriations Subcommittee on Criminal and Civil Justice under the original reference.**

The Committee on Education recommends the following pass: SB 876; SB 1688

**The bills were referred to the Appropriations Subcommittee on Education under the original reference.**

The Committee on Health Policy recommends the following pass: SB 916; SB 926; SB 1344; SB 1374; SB 1742

**The bills were referred to the Appropriations Subcommittee on Health and Human Services under the original reference.**

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The Committee on Infrastructure and Security recommends the following pass: SB 76; SB 1090

**The bills were referred to the Appropriations Subcommittee on Transportation, Tourism, and Economic Development under the original reference.**

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The Committee on Commerce and Tourism recommends the following pass: SB 1492

The Committee on Environment and Natural Resources recommends the following pass: SB 1618

The Committee on Health Policy recommends the following pass: SB 1556

**The bills contained in the foregoing reports were referred to the Committee on Banking and Insurance under the original reference.**

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The Committee on Infrastructure and Security recommends the following pass: SB 1198

**The bill was referred to the Committee on Children, Families, and Elder Affairs under the original reference.**

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The Committee on Environment and Natural Resources recommends the following pass: SB 1390

The Committee on Infrastructure and Security recommends the following pass: SB 1258

The Committee on Innovation, Industry, and Technology recommends the following pass: SB 890

**The bills contained in the foregoing reports were referred to the Committee on Community Affairs under the original reference.**

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The Committee on Governmental Oversight and Accountability recommends the following pass: SB 1690

The Committee on Health Policy recommends the following pass: SB 798

**The bills contained in the foregoing reports were referred to the Committee on Criminal Justice under the original reference.**

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The Committee on Community Affairs recommends the following pass: SB 334

**The bill was referred to the Committee on Finance and Tax under the original reference.**

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The Committee on Commerce and Tourism recommends the following pass: SB 1186

The Committee on Community Affairs recommends the following pass: SB 716; SB 1466

The Committee on Education recommends the following pass: SB 774

The Committee on Ethics and Elections recommends the following pass: SB 1312

**The bills contained in the foregoing reports were referred to the Committee on Governmental Oversight and Accountability under the original reference.**

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The Committee on Education recommends the following pass: SB 190

**The bill was referred to the Committee on Health Policy under the original reference.**

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The Committee on Infrastructure and Security recommends the following pass: SB 1352

**The bill was referred to the Committee on Innovation, Industry, and Technology under the original reference.**

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The Committee on Banking and Insurance recommends the following pass: SB 1306; SB 1672

The Committee on Education recommends the following pass: SB 946

The Committee on Ethics and Elections recommends the following pass: SB 1354

The Committee on Innovation, Industry, and Technology recommends the following pass: SB 1256

**The bills contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.**

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The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 1218

The Committee on Education recommends the following pass: SB 738

The Committee on Ethics and Elections recommends the following pass: CS for SB 352

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 240; SB 7002; SB 7032; SB 7034; SB 7036; SB 7038

The Committee on Health Policy recommends the following pass: SB 120

The Committee on Judiciary recommends the following pass: CS for SB 838; SB 1080; SB 1224; SB 1376

**The bills contained in the foregoing reports were referred to the Committee on Rules under the original reference.**

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The Committee on Rules recommends the following pass: SB 88; CS for CS for SB 124; CS for SB 128; SJR 142; SB 248; SB 294; CS for SB 476; SB 886; SM 978; SB 7006

**The bills were placed on the Calendar.**

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The Committee on Environment and Natural Resources recommends committee substitutes for the following: SB 702; SB 1382; SB 1450

**The bills with committee substitute attached were referred to the Appropriations Subcommittee on Agriculture, Environment, and General Government under the original reference.**

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The Committee on Criminal Justice recommends a committee substitute for the following: SB 652

**The bill with committee substitute attached was referred to the Appropriations Subcommittee on Criminal and Civil Justice under the original reference.**

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The Committee on Education recommends a committee substitute for the following: SB 1568

**The bill with committee substitute attached was referred to the Appropriations Subcommittee on Education under the original reference.**

The Committee on Children, Families, and Elder Affairs recommends committee substitutes for the following: SB 1120; SB 1482

**The bills with committee substitute attached were referred to the Appropriations Subcommittee on Health and Human Services under the original reference.**

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 1166

The Committee on Infrastructure and Security recommends a committee substitute for the following: SB 1000

**The bills with committee substitute attached contained in the foregoing reports were referred to the Appropriations Subcommittee on Transportation, Tourism, and Economic Development under the original reference.**

The Committee on Infrastructure and Security recommends a committee substitute for the following: SB 1464

The Committee on Innovation, Industry, and Technology recommends a committee substitute for the following: SB 478

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Banking and Insurance under the original reference.**

The Committee on Education recommends a committee substitute for the following: SB 1696

**The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.**

The Committee on Innovation, Industry, and Technology recommends a committee substitute for the following: SB 1214

**The bill with committee substitute attached was referred to the Committee on Commerce and Tourism under the original reference.**

The Committee on Infrastructure and Security recommends committee substitutes for the following: SB 368; SB 752

The Committee on Innovation, Industry, and Technology recommends a committee substitute for the following: SB 1154

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Community Affairs under the original reference.**

The Committee on Community Affairs recommends a committee substitute for the following: SB 996

The Committee on Infrastructure and Security recommends a committee substitute for the following: SR 1572

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Environment and Natural Resources under the original reference.**

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 1356

The Committee on Community Affairs recommends a committee substitute for the following: SB 1236

The Committee on Infrastructure and Security recommends a committee substitute for the following: SB 844

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Finance and Tax under the original reference.**

The Committee on Criminal Justice recommends committee substitutes for the following: SB 1024; SB 1718; SB 1728

The Committee on Health Policy recommends a committee substitute for the following: SB 928

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Governmental Oversight and Accountability under the original reference.**

The Committee on Community Affairs recommends a committee substitute for the following: SB 772

**The bill with committee substitute attached was referred to the Committee on Health Policy under the original reference.**

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 1212

**The bill with committee substitute attached was referred to the Committee on Infrastructure and Security under the original reference.**

The Committee on Agriculture recommends a committee substitute for the following: SB 48

The Committee on Infrastructure and Security recommends a committee substitute for the following: SB 422

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Innovation, Industry, and Technology under the original reference.**

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1564

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 870

The Committee on Community Affairs recommends a committee substitute for the following: SB 410

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1286

The Committee on Ethics and Elections recommends a committee substitute for the following: SB 1794

The Committee on Health Policy recommends a committee substitute for the following: SB 1516

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.**

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1586

**The bill with committee substitute attached was referred to the Committee on Military and Veterans Affairs and Space under the original reference.**

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 822

**The bill with committee substitute attached was referred to the Committee on Rules under the original reference.**

### REPORTS OF SUBCOMMITTEES

The Appropriations Subcommittee on Criminal and Civil Justice recommends the following pass: CS for SB 554; CS for SB 700; SB 1002

The Appropriations Subcommittee on Education recommends the following pass: CS for SB 434; SB 486; SB 836

The Appropriations Subcommittee on Health and Human Services recommends the following pass: SB 1020; CS for SB 1324; SB 1326

The Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends the following pass: SB 362; SB 7020

**The bills contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.**

### REPORT OF JOINT SELECT COMMITTEE

The Honorable Bill Galvano  
President of the Senate  
409 The Capitol  
Tallahassee, FL 32399-1100

January 24, 2020

The Honorable Rob Bradley  
Chair of the Senate Appropriations Committee  
414 Senate Building  
Tallahassee, FL 32399-1100

Dear Mr. President and Chair Bradley:

The Joint Select Committee on Collective Bargaining convened on January 23, 2020, in the *Pat Thomas Committee Room*, 412 Knott Building, at 2:30 p.m. The purpose of the meeting was to provide all parties involved in collective bargaining disputes with the State of Florida the opportunity to present their positions to the Florida Legislature, consistent with the provisions of section 447.403, Florida Statutes, and the open meeting provisions of Article III, section 4, of the State Constitution.

The parties presented their positions and indicated they are continuing to negotiate the issues at impasse. We recommend that negotiations continue and that the appropriate legislative committees be kept abreast of the issues agreed upon by the parties as well as the issues that remain at impasse or require legislative action to resolve.

Representatives of each bargaining unit presented compelling testimony in support of wage increases for the state employees. On behalf of the Senators serving on this Committee, I urge the Senate to prioritize funding to address these critical compensation needs. The citizens of the State of Florida deserve to continue to receive quality services from state government, and the state employees who provide those services deserve to have the financial resources to provide for their families.

Copies of presentations and other pertinent materials have been retained by staff and, for purposes of future public inquiry, are available through the Senate Governmental Oversight and Accountability Committee and the House Oversight, Transparency and Public Management Subcommittee.

Respectfully submitted,  
*Senator Ed Hooper*  
Co-Chair

### REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Governmental Oversight and Accountability recommends that the Senate confirm the following appointment made by the Board of Administration:

| <i>Office and Appointment</i>    | <i>For Term Ending</i> |
|----------------------------------|------------------------|
| Investment Advisory Council      |                        |
| Appointee: Jones, J. Robert, Jr. | 02/01/2023             |

**The appointment was referred to the Committee on Ethics and Elections under the original reference.**

### INTRODUCTION AND REFERENCE OF BILLS

#### FIRST READING

**Senate Bills 7000-7038**—Previously introduced.

By the Committee on Education—

**SB 7040**—A bill to be entitled An act relating to implementation of the recommendations of the Marjory Stoneman Douglas High School Public Safety Commission; amending s. 30.15, F.S.; authorizing a sheriff to contract for services to provide training under the Coach Aaron Feis Guardian Program; revising training and evaluation requirements for school guardians; expanding the program to include the training and certification of school security guards; requiring the review and approval of evaluations and results; amending s. 943.082, F.S.; adding penalties for persons who knowingly submit false information to a law enforcement agency; amending s. 943.687, F.S.; requiring the addition of three members to the Marjory Stoneman Douglas High School Public Safety Commission as of a certain date; requiring consideration of balanced representation; amending s. 985.12, F.S.; requiring certain state agencies and state attorneys to cooperate in the oversight and enforcement of school-based diversion programs; requiring that law enforcement officers have access to a certain database; amending s. 1001.11, F.S.; specifying legislative intent; assigning the Commissioner of Education specified duties regarding education-related school safety requirements; amending s. 1001.212, F.S.; revising the training, consultation, and coordination responsibilities of the Office of Safe Schools; conforming and requiring evaluation and coordination of incident reporting requirements; requiring the office to maintain a directory of programs; requiring the office to develop a model plan; amending s. 1002.33, F.S.; conforming safety requirements to changes made by the act; amending s. 1003.5716, F.S.; revising individual education plan requirements for certain students to include a statement of expectations for the transition of behavioral health services needed after high school graduation; requiring parent, student, and agency roles and responsibilities to be specified in a course of action transition plan, as applicable; amending s. 1004.44, F.S.; requiring the Louis de la Parte Florida Mental Health Institute to consult with specified state agencies and convene a workgroup to advise those agencies on the implementation of specified mental health recommendations; requiring the institute to submit a report with administrative and legislative policy recommendations to the Governor and the Legislature by a specified date; authorizing the institute to submit additional reports and recommendations as needed and requested; amending s. 1006.07, F.S.; requiring code of student conduct policies to contain prearrest diversion program criteria; specifying requirements applicable to emergency drill policies and procedures, in accordance with State Board of Education rules; requiring the state board to adopt rules in consultation with state and local entities; adding threat assessment team membership, training, and procedural requirements; incorporating additional discipline and behavioral incident reports within school safety incident reporting requirements; requiring district school boards to adopt school district emergency event family reunification policies and



plans; requiring school-based emergency event family reunification plans to be consistent with school board policy and the school district plan; requiring plans to address specified requirements within the framework of model policies and plans identified by the office; amending s. 1006.09, F.S.; requiring school principals to use a specified system to report school safety incidents; amending s. 1006.12, F.S.; requiring school safety officers to complete specified training to improve knowledge and skills as first responders to certain incidents; specifying county sheriffs' responsibility for specified training required for school security guards; requiring certain school security guards to meet district background screening requirements and qualification requirements; conforming notification requirements to changes made by the act; amending s. 1006.13, F.S.; authorizing district school boards to assign students to certain diversion programs as options within zero-tolerance policies; amending s. 1006.1493, F.S.; revising components that must be assessed by the Florida Safe Schools Assessment Tool to include policies and procedures to prepare for and respond to natural or manmade disasters or emergencies; amending s. 1011.62, F.S.; revising requirements that must be met before the distribution of the mental health assistance allocation; providing effective dates.

—was referred to the Committees on Infrastructure and Security; and Appropriations.

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**Senate Bills 7042-7044**—Previously introduced.

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By the Committee on Governmental Oversight and Accountability—

**SB 7046**—A bill to be entitled An act relating to the state group insurance program; amending s. 110.123, F.S.; revising the definition of “full-time state employees” to conform to changes made by the act; authorizing persons eligible to participate in the program to elect membership with certain health maintenance organization plans; requiring at least one health maintenance organization plan be made available to each enrollee residing in the state; deleting provisions providing for the establishment of health maintenance organization plan regions by Department of Management Services rule; deleting the requirement that health plans be offered in specified benefit levels; deleting obsolete language regarding eligibility for participation in the program for other-personal-services employees; establishing regions for health maintenance organizations for specified purposes; providing for construction; creating s. 110.12305, F.S.; defining terms; prohibiting specified fraudulent acts in connection with the program, including the submission of fraudulent insurance claims, making false statements in claims, and the acceptance of certain payments; providing criminal penalties; specifying that the repayment, or attempted repayments, of any unlawful payments does not constitute a defense or a ground for dismissal for a violation of the act; specifying which property is deemed to be paid for by the program; specifying application of the business records hearsay exception to certain records in the custody of the department or a contracted vendor; specifying factors that establish an inference that a person had knowledge of a false statement or false representation regarding a claim; prohibiting the sale or purchase of a legend drug paid for by the program; providing criminal penalties; prohibiting a person from knowingly making or causing to be made, or attempting or conspiring to make, any false statement or representation in order to obtain goods or services from the program; providing criminal penalties; providing immunity for certain persons who provide information regarding provider fraud to governmental entities; specifying the scope of such immunity; defining the term “fraudulent acts”; requiring the department to publicize certain terms of the Florida False Claims Act to state employees and the public; creating s. 110.12306, F.S.; defining a term; requiring the Division of State Group Insurance to establish an anti-fraud unit for certain purposes by a specified date; authorizing the division to contract with other parties to perform certain anti-fraud measures; requiring the division to adopt an anti-fraud plan and designate at least one employee to implement anti-fraud measures; amending s. 110.12315, F.S.; modifying requirements for identifying a medically necessary drug excluded from the formulary on a prescription; prohibiting the department or its pharmacy benefit manager from substituting its judgment over the judgment of a prescriber in determining whether a drug excluded from the formulary is medically necessary; requiring the department or its pharmacy benefit manager to take specified action regarding formulary management; removing a limitation for the annual maximum amount for coverage for medically

necessary prescription and nonprescription enteral formulas and amino-acid-based elemental formulas for home use; requiring the department to ensure that the prescription drug program receives certain benefits, and to perform annual audits of such benefits; amending s. 110.131, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committee on Appropriations.

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committee on Agriculture; and Senator Book—

**CS for SB 48**—A bill to be entitled An act relating to the declawing of cats; creating s. 828.095, F.S.; defining terms; prohibiting a person from performing a declawing on a cat within this state; providing an exception; providing a civil penalty; providing that a veterinarian who performs a prohibited declawing is subject to disciplinary action by the Board of Veterinary Medicine; amending s. 474.214, F.S.; providing that a veterinarian who performs a prohibited declawing is subject to certain disciplinary action; providing an effective date.

By the Committee on Infrastructure and Security; and Senator Rouson—

**CS for SB 368**—A bill to be entitled An act relating to the Tampa Bay Area Regional Transit Authority; amending s. 339.175, F.S.; renaming the Tampa Bay Area Regional Transit Authority Metropolitan Planning Organization Chairs Coordinating Committee as the Chairs Coordinating Committee; deleting a requirement that the Tampa Bay Area Regional Transit Authority provide the committee with administrative support and direction; amending s. 343.92, F.S.; providing that a mayor's designated alternate may be a member of the governing board of the authority; requiring that the alternate be an elected member of the city council of the mayor's municipality and be approved by the municipality's city council; requiring a mayor's designated alternate to attend meetings under certain circumstances, in which case the alternate has full voting rights; providing that a simple majority of board members constitutes a quorum and that a simple majority of those members present is necessary for any action to be taken; deleting obsolete language; amending s. 343.922, F.S.; deleting a provision requiring that the authority present the original regional transit development plan and updates to specified entities; deleting a provision requiring that the authority coordinate plans and projects with the TBARTA Metropolitan Planning Organization Chairs Coordinating Committee and participate in the regional M.P.O. planning process to ensure regional comprehension of the authority's mission, goals, and objectives; deleting a provision requiring that the authority provide administrative support and direction to the TBARTA Metropolitan Planning Organization Chairs Coordinating Committee; providing an effective date.

By the Committee on Community Affairs; and Senator Perry—

**CS for SB 410**—A bill to be entitled An act relating to growth management; amending s. 163.3168, F.S.; requiring the Department of Economic Opportunity to give a preference to certain counties and municipalities when selecting applications for funding for technical assistance; amending s. 163.3177, F.S.; requiring a comprehensive plan to include a property rights element; providing a statement of rights that a local government may use; requiring a local government to adopt a property rights element by a specified date; providing that a local government's property rights element may not conflict with the statutory provided statement of rights; providing an effective date.

By the Committee on Infrastructure and Security; and Senator Perry—

**CS for SB 422**—A bill to be entitled An act relating to recreational vehicles; amending s. 527.01, F.S.; defining the term “recreational vehicle”; amending s. 527.0201, F.S.; requiring the Department of Agriculture and Consumer Services to adopt rules specifying requirements for agents to administer certain competency examinations and estab-

lishing a written competency examination for a license to engage in activities solely related to the service and repair of recreational vehicles; authorizing certain qualifiers and master qualifiers to engage in activities solely related to the service and repair of recreational vehicles; requiring verifiable LP gas experience or professional certification by an LP gas manufacturer in order to apply for certification as a master qualifier; providing an effective date.

By the Committee on Innovation, Industry, and Technology; and Senator Perry—

**CS for SB 478**—A bill to be entitled An act relating to motor vehicle rentals; amending s. 212.0606, F.S.; defining the terms “motor vehicle rental company” and “peer-to-peer car-sharing program”; revising the applicability of the rental car surcharge; imposing the surcharge on certain motor vehicle leases or rentals by a peer-to-peer car-sharing program; specifying who must collect the surcharge; making technical changes; creating s. 627.7483, F.S.; defining terms; specifying motor vehicle insurance requirements for shared vehicles on a peer-to-peer car-sharing program; providing construction relating to such insurance; requiring a peer-to-peer car-sharing program to assume specified liability of a shared vehicle owner; providing exceptions; requiring a shared vehicle owner’s insurer to indemnify the peer-to-peer car-sharing program under certain circumstances; authorizing a shared vehicle owner’s motor vehicle insurer to exclude certain coverages and the duty to defend or indemnify certain claims; authorizing such insurer to seek contribution against the peer-to-peer car-sharing program’s insurer under certain circumstances; requiring a peer-to-peer car-sharing program to notify the shared vehicle owner of certain lien information; specifying recordkeeping and record disclosure requirements for peer-to-peer car-sharing programs; specifying disclosure requirements for peer-to-peer car-sharing program agreements; specifying shared vehicle driver license requirements; specifying liability for damage to certain equipment in or on a shared vehicle; specifying requirements for peer-to-peer car-sharing programs relating to safety recalls on shared vehicles; providing construction; providing an effective date.

By the Committee on Criminal Justice; and Senator Pizzo—

**CS for SB 652**—A bill to be entitled An act relating to the Urban Core Gun Violence Task Force; creating s. 943.6872, F.S.; creating the Urban Core Gun Violence Task Force; requiring the task force to comply with specified requirements; providing for membership; providing for staff support; providing requirements for meetings; specifying duties and powers of the task force; authorizing the task force to seek assistance from state agencies; providing for access to certain information and records; requiring an initial report; authorizing annual reports; providing for repeal of the task force; providing an effective date.

By the Committee on Environment and Natural Resources; and Senator Albritton—

**CS for SB 702**—A bill to be entitled An act relating to petroleum cleanup; amending s. 376.3071, F.S.; revising requirements for a limited contamination assessment report required to be provided by a property owner, operator, or person otherwise responsible for site rehabilitation to the Department of Environmental Protection under the Petroleum Cleanup Participation Program; amending s. 376.30713, F.S.; revising the contents of an advanced cleanup application to include a specified property owner or responsible party agreement; requiring an applicant to submit a scope of work after the department has accepted the applicant’s advanced cleanup application; requiring the department to issue a purchase order for a certain contamination assessment; providing an effective date.

By the Committee on Infrastructure and Security; and Senators Bean, Book, and Cruz—

**CS for SB 752**—A bill to be entitled An act relating to emergency sheltering of persons with pets; amending s. 252.3568, F.S.; requiring the Department of Education to assist the Division of Emergency Management in determining strategies regarding the evacuation of persons with pets; requiring counties that meet specified criteria to designate and operate at least one shelter that can accommodate per-

sons with pets; specifying requirements for such shelters; providing an effective date.

By the Committee on Community Affairs; and Senators Hutson, Perry, and Flores—

**CS for SB 772**—A bill to be entitled An act relating to recreational vehicle parks; amending s. 513.012, F.S.; revising legislative intent; amending s. 513.02, F.S.; providing a timeframe for certain owners or transferees to apply for a permit; amending s. 513.051, F.S.; preempting to the Department of Health the regulatory authority for permitting standards; amending s. 513.112, F.S.; providing that evidence of a certain length of stay in a guest register creates a rebuttable presumption that a guest is transient; amending s. 513.1115, F.S.; providing standards for a damaged or destroyed recreational vehicle park to be rebuilt under certain circumstances; superseding certain local government regulation; amending s. 513.115, F.S.; specifying when certain property becomes abandoned; providing for disposition of the abandoned property; amending s. 513.118, F.S.; authorizing a park operator to refuse certain individuals access to the premises and to eject transient guests or visitors based on specified conduct; providing that a person who refuses to leave the park premises commits the offense of trespass; providing immunity from liability for certain law enforcement officers; providing an exception; providing for removal of a guest’s property; amending s. 513.13, F.S.; providing for a guest’s ejection from a park and specifying grounds and requirements for ejection; providing for removal of the guest’s property; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Albritton—

**CS for SB 822**—A bill to be entitled An act relating to drones; amending s. 934.50, F.S.; adding an exception to prohibited uses of a drone; providing an effective date.

By the Committee on Infrastructure and Security; and Senator Taddeo—

**CS for SB 844**—A bill to be entitled An act relating to a sales tax exemption for hurricane shutters and impact-resistant windows; amending s. 212.08, F.S.; exempting a specified portion of the purchase price of certain hurricane shutters and impact-resistant windows from the sales and use tax; defining terms; authorizing the Department of Revenue to adopt emergency rules; providing for expiration of that authority; providing effective dates.

By the Committee on Children, Families, and Elder Affairs; and Senator Book—

**CS for SB 870**—A bill to be entitled An act relating to mental health and substance abuse; amending s. 394.455, F.S.; conforming a cross-reference; revising the definition of the term “mental illness”; defining the terms “neglect or refuse to care for himself or herself” and “real and present threat of substantial harm”; amending s. 394.459, F.S.; requiring that respondents with a serious mental illness be informed of the essential elements of recovery and be provided assistance with accessing a continuum of care regimen; authorizing the Department of Children and Families to adopt certain rules; amending s. 394.4598, F.S.; conforming a cross-reference; amending s. 394.4599, F.S.; conforming provisions to changes made by the act; amending s. 394.461, F.S.; authorizing the state to establish that a transfer evaluation was performed by providing the court with a copy of the evaluation before the close of the state’s case in chief; prohibiting the court from considering substantive information in the transfer evaluation unless the evaluator testifies at the hearing; amending s. 394.4615, F.S.; conforming provisions to changes made by the act; amending s. 394.462, F.S.; conforming cross-references; amending s. 394.4625, F.S.; providing requirements relating to the voluntariness of admissions to a facility for examination and treatment; providing requirements for verifying the assent of a minor admitted to a facility; requiring the appointment of a public defender to review the voluntariness of a minor’s admission to a facility; requiring the filing of a petition for involuntary placement or release of a minor to his or her parent or legal guardian under certain circumstances; conforming provisions to changes made by the act;

amending s. 394.463, F.S.; revising the requirements for when a person may be taken to a receiving facility for involuntary examination; requiring a facility to inform the department of certain persons who have been examined or committed under certain circumstances; conforming provisions to changes made by the act; providing criminal and civil penalties; amending s. 394.4655, F.S.; revising the requirements for involuntary outpatient treatment; amending s. 394.467, F.S.; revising the requirements for when a person may be ordered for involuntary inpatient placement; revising requirements for continuances of hearings; revising the conditions under which a court may waive the requirement for a patient to be present at an involuntary inpatient placement hearing; authorizing the court to permit all witnesses to remotely attend and testify at the hearing through certain means; authorizing the state attorney to access certain persons and records for certain purposes; specifying such records remain confidential; revising when the court may appoint a magistrate; revising the amount of time a court may require a patient to receive services; providing an exception to the prohibition on a court ordering certain individuals to be involuntarily placed in a state treatment facility; conforming a cross-reference; amending ss. 394.495 and 394.496, F.S.; conforming cross-references; amending s. 394.499, F.S.; making technical and conforming changes; amending s. 394.9085, F.S.; conforming cross-references; amending s. 397.305, F.S.; revising the purposes of ch. 397, F.S.; amending s. 397.311, F.S.; revising the definition of the terms “impaired” and “substance abuse impaired”; defining the terms “involuntary treatment services,” “neglect or refuse to care for himself or herself,” and “real and present threat of substantial harm”; amending s. 397.416, F.S.; conforming a cross-reference; amending s. 397.501, F.S.; requiring that respondents with serious substance abuse addictions be informed of the essential elements of recovery and provided assistance with accessing a continuum of care regimen; authorizing the department to adopt certain rules; amending s. 397.675, F.S.; revising the criteria for involuntary admissions; amending s. 397.6751, F.S.; revising the responsibilities of a service provider; amending s. 397.681, F.S.; requiring that the state attorney represent the state as the real party of interest in an involuntary proceeding, subject to legislative appropriation; authorizing the state attorney to access certain persons and records; conforming provisions to changes made by the act; repealing s. 397.6811, F.S., relating to involuntary assessment and stabilization; repealing s. 397.6814, F.S., relating to petitions for involuntary assessment and stabilization; repealing s. 397.6815, F.S., relating to involuntary assessment and stabilization procedures; repealing s. 397.6818, F.S., relating to court determinations for petitions for involuntary assessment and stabilization; repealing s. 397.6819, F.S., relating to the responsibilities of licensed service providers with regard to involuntary assessment and stabilization; repealing s. 397.6821, F.S., relating to extensions of time for completion of involuntary assessment and stabilization; repealing s. 397.6822, F.S., relating to the disposition of individuals after involuntary assessments; amending s. 397.693, F.S.; revising the circumstances under which a person is eligible for court-ordered involuntary treatment; amending s. 397.695, F.S.; authorizing the court or clerk of the court to waive or prohibit any service of process fees for an indigent petitioner; amending s. 397.6951, F.S.; revising the requirements for the contents of a petition for involuntary treatment services; providing that a petitioner may include a certificate or report of a qualified professional with the petition; requiring the certificate or report to contain certain information; requiring that certain additional information must be included if an emergency exists; amending s. 397.6955, F.S.; requiring the clerk of the court to notify the state attorney’s office upon the receipt of a petition filed for involuntary treatment services; revising when a hearing must be held on the petition; providing requirements for when a petitioner asserts that emergency circumstances exist or the court determines that an emergency exists; amending s. 397.6957, F.S.; expanding the exemption from the requirement that a respondent be present at a hearing on a petition for involuntary treatment services; authorizing the court to order drug tests and permit all witnesses to remotely attend and testify at the hearing through certain means; deleting a provision requiring the court to appoint a guardian advocate under certain circumstances; prohibiting a respondent from being involuntarily ordered into treatment unless certain requirements are met; providing requirements relating to involuntary assessment and stabilization orders; providing requirements relating to involuntary treatment hearings; requiring that the assessment of a respondent occur before a specified time unless certain requirements are met; requiring the service provider to discharge the respondent after a specified time unless certain requirements are met; requiring a qualified professional to provide copies of his or her report to

the court and all relevant parties and counsel; providing requirements for the report; authorizing certain entities to take specified actions based upon the involuntary assessment; authorizing a court to order certain persons to take a respondent into custody and transport him or her to or from certain service providers and the court; revising the petitioner’s burden of proof in the hearing; authorizing the court to initiate involuntary proceedings under certain circumstances; requiring that, if a treatment order is issued, it must include certain findings; amending s. 397.697, F.S.; requiring that an individual meet certain requirements to qualify for involuntary outpatient treatment; specifying that certain hearings may be set by the motion of a party or under the court’s own authority; specifying that a service provider’s authority is separate and distinct from the court’s jurisdiction; amending s. 397.6971, F.S.; conforming provisions to changes made by the act; amending s. 397.6975, F.S.; authorizing certain entities to file a petition for renewal of involuntary treatment; revising the timeframe during which the court is required to schedule a hearing; conforming provisions to changes made by the act; amending s. 397.6977, F.S.; conforming provisions to changes made by the act; repealing s. 397.6978, F.S., relating to the appointment of guardian advocates; amending ss. 409.972, 464.012, 744.2007, and 790.065, F.S.; conforming cross-references; providing an effective date.

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By the Committee on Health Policy; and Senator Harrell—

**CS for SB 928**—A bill to be entitled An act relating to public records and meetings; creating s. 456.4503, F.S.; providing an exemption from public records requirements for certain information held by the Department of Health, the Board of Medicine, or the Board of Osteopathic Medicine, pursuant to the Interstate Medical Licensure Compact; providing an exemption from public meeting requirements for certain meetings or portions of certain meetings of the Interstate Medical Licensure Compact Commission; providing an exemption from public records requirements for recordings, minutes, and records generated during the closed portions of such meetings; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing a contingent effective date.

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By the Committee on Community Affairs; and Senator Albritton—

**CS for SB 996**—A bill to be entitled An act relating to displacement of private waste companies; amending s. 403.70605, F.S.; requiring a local government to pay a specified amount of compensation to a displaced private waste company at the end of a specified notice period; removing a provision authorizing a local government to pay a specified amount of compensation to a private waste company as an alternative to delaying displacement for a specified period; removing a provision authorizing a local government and a private waste company to negotiate such compensation and notice period; providing an effective date.

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By the Committee on Infrastructure and Security; and Senators Perry and Mayfield—

**CS for SB 1000**—A bill to be entitled An act relating to traffic and pedestrian safety; creating s. 316.0756, F.S.; requiring a pedestrian crosswalk on a public highway, street, or road which is located at any point other than at an intersection with another public highway, street, or road to be controlled by traffic control signal devices and pedestrian control signals that conform to specified requirements; providing coordination requirements for such devices and signals; requiring, by a specified date, the entity with jurisdiction over a public highway, street, or road with a certain pedestrian crosswalk to ensure that the crosswalk is controlled by coordinated traffic control signal devices and pedestrian control signals; authorizing such entity to alternatively remove any such crosswalk; providing a declaration of important state interest; providing an effective date.

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By the Committee on Criminal Justice; and Senator Bean—

**CS for SB 1024**—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; defining the term “postconviction re-investigative information”; providing an exemption from public records requirements for certain postconviction re-investigative information;

providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Harrell—

**CS for SB 1120**—A bill to be entitled An act relating to substance abuse services; amending s. 397.4073, F.S.; specifying that certified recovery residence administrators and certain persons associated with certified recovery residences are subject to certain background screenings; requiring, rather than authorizing, the exemption from disqualification from employment for certain substance abuse service provider personnel; amending s. 397.487, F.S.; deleting a provision relating to background screenings for certain persons associated with applicant recovery residences; amending s. 397.4872, F.S.; deleting provisions relating to exemptions from disqualification for certain persons associated with recovery residences; amending s. 397.4873, F.S.; providing criminal penalties for violations relating to recovery residence patient referrals; amending s. 817.505, F.S.; revising provisions relating to payment practices exempt from prohibitions on patient brokering; amending ss. 397.4871 and 435.07, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Innovation, Industry, and Technology; and Senator Baxley—

**CS for SB 1154**—A bill to be entitled An act relating to community associations; amending s. 514.0115, F.S.; exempting certain property association pools from Department of Health regulations; amending s. 627.714, F.S.; prohibiting subrogation rights against a condominium association under certain circumstances; creating s. 712.065, F.S.; defining the term “discriminatory restriction”; providing that discriminatory restrictions are unlawful, unenforceable, and declared null and void; providing that certain discriminatory restrictions are extinguished and severed from recorded title transactions; specifying that the recording of certain notices does not reimpose or preserve a discriminatory restriction; providing requirements for a parcel owner to remove a discriminatory restriction from a covenant or restriction; amending s. 718.111, F.S.; requiring that certain records be maintained for a specified time; prohibiting an association from requiring certain actions relating to the inspection of records; revising requirements relating to the posting of digital copies of certain documents by certain condominium associations; amending s. 718.112, F.S.; authorizing condominium associations to extinguish discriminatory restrictions; specifying that only board service that occurs on or after a specified date may be used for calculating a board member’s term limit; providing requirements for certain notices; prohibiting an association from charging certain fees; providing an exception; conforming provisions to changes made by the act; deleting a prohibition against employing or contracting with certain service providers; amending s. 718.113, F.S.; defining the terms “natural gas fuel” and “natural gas fuel vehicle”; revising legislative findings; revising requirements for electric vehicle charging stations; providing requirements for the installation of natural gas fuel stations on property governed by condominium associations; amending s. 718.1255, F.S.; authorizing parties to initiate presuit mediation under certain circumstances; specifying when arbitration is binding on the parties; providing requirements for presuit mediation; amending s. 718.303, F.S.; revising requirements for certain actions for failure to comply with specified provisions; revising requirements for certain fines; amending s. 718.5014, F.S.; revising where the principal office of the Office of the Condominium Ombudsman must be maintained; amending s. 719.103, F.S.; revising the definition of the term “unit” to specify that an interest in a cooperative unit is an interest in real property; amending s. 719.104, F.S.; prohibiting an association from requiring certain actions relating to the inspection of records; making technical changes; amending s. 719.106, F.S.; revising provisions relating to a quorum and voting rights for members remotely participating in meetings; authorizing cooperative associations to extinguish discriminatory restrictions; amending s. 720.303, F.S.; authorizing an association to adopt procedures for electronic meeting notices; revising the documents that constitute the official records of an association; amending s. 720.305, F.S.; providing requirements for certain fines; amending s. 720.306, F.S.; revising requirements for providing certain notices; amending s. 720.3075, F.S.; authorizing

homeowners’ associations to extinguish discriminatory restrictions; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Albritton—

**CS for SB 1166**—A bill to be entitled An act relating to broadband Internet service; amending s. 339.0801, F.S.; authorizing certain funds within the State Transportation Trust Fund to be used for certain broadband infrastructure projects within or adjacent to multiuse corridors; requiring the Department of Transportation to give priority to certain projects; amending s. 364.0135, F.S.; defining terms; designating the Department of Economic Opportunity, and not the Department of Management Services, as the lead state entity to facilitate the expansion of broadband Internet service in this state; requiring the department to work collaboratively with certain entities; creating the Florida Office of Broadband within the Division of Community Development within the Department of Economic Opportunity; providing the purpose and duties of the office; making technical changes; repealing chapter 2012-131, Laws of Florida, relating to broadband Internet service; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Gruters—

**CS for SB 1212**—A bill to be entitled An act relating to international affairs; amending s. 15.01, F.S.; requiring the Secretary of State to serve as the state protocol officer; requiring the Secretary of State to take certain actions relating to the state protocol manual; amending s. 15.182, F.S.; requiring that certain organizations provide notice of international travel to the Department of State, rather than the Department of Economic Opportunity; requiring the Department of State, the Department of Economic Opportunity, and Enterprise Florida, Inc., to work in conjunction for a certain purpose; amending s. 288.816, F.S.; revising the duties of the state protocol officer; authorizing, rather than requiring, the state protocol officer to take certain actions; creating s. 288.8165, F.S.; authorizing the Department of State to support the establishment of citizen support organizations for certain purposes; defining the term “citizen support organization”; prohibiting the department from allowing a citizen support organization to use certain services, property, or facilities if the organization does not provide equal membership and employment opportunities; requiring citizen support organizations to provide for a certain financial audit; providing a scheduled repeal; amending s. 288.012, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Innovation, Industry, and Technology; and Senator Baxley—

**CS for SB 1214**—A bill to be entitled An act relating to engineers; amending s. 471.003, F.S.; prohibiting a person who is not licensed as an engineer from using a specified name or title; prohibiting a person who is not a licensed professional structural engineer from using specified names and titles or practicing professional structural engineering, after a specified date; exempting certain persons from licensing requirements; amending s. 471.005, F.S.; defining terms; revising definitions; amending s. 471.011, F.S.; authorizing the Board of Professional Engineers to establish fees relating to professional structural engineering licensing; amending s. 471.013, F.S.; authorizing the board to refuse to certify an applicant for a professional structural engineering license for certain reasons; amending s. 471.015, F.S.; providing licensure and application requirements for a professional structural engineer license; exempting certain applicants who apply for licensure before a specified date from passage of a certain national examination, under certain conditions; requiring the board to certify certain applicants for licensure by endorsement; amending ss. 471.019 and 471.025, F.S.; conforming provisions to changes made by the act; amending s. 471.031, F.S.; prohibiting certain persons from practicing professional structural engineering after a specified date; prohibiting specified persons from using specified names and titles; amending s. 471.033, F.S.; providing acts that constitute grounds for disciplinary action, including civil penalties, against a professional structural engineer; amending ss. 471.037 and 471.0385, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Community Affairs; and Senator Gruters—

**CS for SB 1236**—A bill to be entitled An act relating to the educational property tax exemption; amending s. 196.198, F.S.; exempting land and real property improvements used exclusively for educational purposes from ad valorem taxes if certain criteria are met; providing that the educational institution shall receive the full benefit from the exemption; requiring the property owner to make certain disclosures to the educational institution; providing an effective date.

By the Committee on Criminal Justice; and Senator Simmons—

**CS for SB 1286**—A bill to be entitled An act relating to contraband in specified facilities; amending s. 916.1085, F.S.; prohibiting the introduction of certain cannabis related substances, cellular telephones and other portable communication devices, and vapor-generating electronic devices inside the secure perimeter of specified facilities of the Department of Children and Families or of the Agency for Persons with Disabilities; providing criminal penalties; amending s. 944.47; prohibiting the introduction of certain cannabis related substances and vapor-generating electronic devices inside the secure perimeter of a correctional institution; providing criminal penalties; amending s. 951.22, F.S.; prohibiting the introduction of certain cannabis related substances and vapor-generating electronic devices inside the secure perimeter of a county detention facility; providing criminal penalties; amending s. 985.711, F.S.; prohibiting the introduction of certain cannabis related substances, cellular telephones and other portable communication devices, and vapor-generating electronic devices inside the secure perimeter of specified juvenile detention facilities or commitment programs; providing criminal penalties; amending s. 921.0022, F.S.; ranking the offense of introducing certain contraband into specified facilities of the Department of Children and Families on level 4 of the offense severity ranking chart; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Bean—

**CS for SB 1356**—A bill to be entitled An act relating to employer contributions for reemployment assistance; amending s. 443.1216, F.S.; revising the initial rate that certain client companies of employee leasing companies must pay under specified circumstances to tax collection service providers; amending s. 443.131, F.S.; requiring the tax collection service provider to adjust the initial employer contribution rate under certain circumstances; providing an effective date.

By the Committee on Environment and Natural Resources; and Senator Albritton—

**CS for SB 1382**—A bill to be entitled An act relating to environmental resource management; amending s. 403.067, F.S.; providing additional management strategies for basin management action plans; requiring certain basin management action plans to include certain cooperative regional water quality improvement elements; providing requirements for the Department of Environmental Protection, the Department of Agriculture and Consumer Services, and owners of agricultural operations in developing and implementing such elements; requiring the Department of Agriculture and Consumer Services to work with the Department of Environmental Protection to improve the accuracy of data used to estimate certain agricultural land uses and to work with producers to identify certain agricultural technologies; requiring the University of Florida Institute of Food and Agricultural Sciences to work with the Department of Agriculture and Consumer Services to develop a specified research plan and a legislative budget request; requiring the Department of Environmental Protection to work with the University of Florida Institute of Food and Agricultural Sciences to consider the adoption of best management practices for nutrient impacts from golf courses; establishing a nutrient reduction cost-share program within the Department of Environmental Protection; providing requirements for such program; providing legislative intent regarding rural homesteads; defining the term “rural homesteads”; exempting such homesteads from certain best management practices under certain conditions; amending s. 403.0675, F.S.; requiring the Department of Environmental Protection and the Department of Agriculture and Consumer Services to include specified information in annual progress reports for basin management action plans; amending s. 403.412, F.S.; prohibiting local governments from recognizing, granting,

conveying, or extending legal rights or legal standing to animals or certain parts of the natural environment under certain circumstances; providing construction; providing an effective date.

By the Committee on Environment and Natural Resources; and Senator Gruters—

**CS for SB 1450**—A bill to be entitled An act relating to environmental enforcement; amending s. 161.054, F.S.; revising administrative penalties for violations of certain provisions relating to beach and shore construction and activities; providing that each day that certain violations occur or are not remediated constitutes a separate offense until such violations are resolved by order or judgment; making technical changes; amending ss. 258.397, 258.46, 373.129, 376.16, 376.25, 377.37, 378.211, and 403.141, F.S.; revising civil penalties for violations of certain provisions relating to the Biscayne Bay Aquatic Preserve, aquatic preserves, water resources, the Pollutant Discharge Prevention and Control Act, the Clean Ocean Act, regulation of oil and gas resources, the Phosphate Land Reclamation Act, and other provisions relating to pollution and the environment, respectively; providing that each day that certain violations occur or are not remediated constitutes a separate offense until such violations are resolved by order or judgment; making technical changes; amending ss. 373.209, 376.065, 376.071, 403.086, 403.413, 403.7234, and 403.93345, F.S.; revising civil penalties for violations of certain provisions relating to artesian wells, terminal facilities, discharge contingency plans for vessels, sewage disposal facilities, dumping litter, small quantity generators, and coral reef protection, respectively; making technical changes; amending ss. 373.430 and 403.161, F.S.; revising criminal penalties for violations of certain provisions relating to pollution and the environment; providing that each day that certain violations occur or are not remediated constitutes a separate offense until such violations are resolved by order or judgment; making technical changes; amending s. 403.121, F.S.; revising civil and administrative penalties for violations of certain provisions relating to pollution and the environment; providing that each day that certain violations occur or are not remediated constitutes a separate offense until such violations are resolved by order or judgment; increasing the amount of penalties that can be assessed administratively; making technical changes; amending ss. 403.726 and 403.727, F.S.; revising civil penalties for violations of certain provisions relating to hazardous waste for each day that certain violations occur and are not resolved by order or judgment; making technical changes; reenacting s. 823.11(5), F.S., to incorporate the amendment made to s. 376.16, F.S., in a reference thereto; reenacting ss. 403.077(5), 403.131(2), 403.4154(3)(d), and 403.860(5), F.S., to incorporate the amendment made to s. 403.121, F.S., in a reference thereto; reenacting ss. 403.708(10), 403.7191(7), and 403.811, F.S., to incorporate the amendment made to s. 403.141, F.S., in a reference thereto; reenacting s. 403.7255(2), F.S., to incorporate the amendment made to s. 403.161, F.S., in a reference thereto; reenacting s. 403.7186(8), F.S., to incorporate the amendment made to ss. 403.141 and 403.161, F.S., in references thereto; providing an effective date.

By the Committee on Infrastructure and Security; and Senator Flores—

**CS for SB 1464**—A bill to be entitled An act relating to underground facility damage prevention and safety; amending s. 556.102, F.S.; defining the term “permanent marker” for purposes of the Underground Facility Damage Prevention and Safety Act; amending s. 556.107, F.S.; providing noncriminal violations relating to the transportation of certain hazardous materials; authorizing the State Fire Marshal or local fire chief to issue certain citations; providing enhanced civil penalties; providing disposition of the civil penalty; requiring a report by additional entities; providing criminal penalties; amending s. 556.116, F.S.; providing that certain incident reports must be submitted to, and investigated by, the State Fire Marshal, the local fire chief, a local or state law enforcement officer, a government code inspector, or a code enforcement officer; authorizing the State Fire Marshal, the local fire chief, a local or state law enforcement officer, a government code inspector, or a code enforcement officer to issue citations and civil penalties; providing for disposition of the civil penalty; removing provisions relating to hearings by the Division of Administrative Hearings of certain incidents; creating s. 556.117, F.S.; creating an underground facility damage prevention review panel under the Division of State Fire

Marshal within the Department of Financial Services; providing duties and membership of the review panel; specifying the term limits of the review panel; requiring the Division of State Fire Marshal to provide support to the review panel; providing that members of the panel serve without reimbursement or compensation; providing an effective date.

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By the Committee on Children, Families, and Elder Affairs; and Senator Bean—

**CS for SB 1482**—A bill to be entitled An act relating to domestic violence services; amending s. 39.902, F.S.; deleting the definition of the term “coalition”; amending s. 39.903, F.S.; revising the duties of the Department of Children and Families in relation to the domestic violence program; repealing s. 39.9035, F.S., relating to the duties and functions of the Florida Coalition Against Domestic Violence with respect to domestic violence; amending s. 39.904, F.S.; requiring the department to provide a specified report; amending s. 39.905, F.S.; revising the requirements of domestic violence centers; amending s. 39.9055, F.S.; removing the coalition from the capital improvement grant program process; amending ss. 39.8296, 381.006, 381.0072, 383.402, 402.40, 741.316, 753.03, 943.1701, and 1004.615, F.S.; conforming provisions to changes made by the act; providing an effective date.

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By the Committee on Health Policy; and Senator Harrell—

**CS for SB 1516**—A bill to be entitled An act relating to organ donation; amending s. 408.0455, F.S.; revising a provision relating to the operation of certain rules adopted by the Agency for Health Care Administration; amending s. 627.6045, F.S.; prohibiting a health insurance policy from limiting or excluding coverage solely on the basis that an insured is a living organ donor; amending s. 765.514, F.S.; revising a written document for making an anatomical gift to include a specified statement relating to the responsibility of payment for fees associated with certain services; amending s. 765.5155, F.S.; revising the responsibilities of a contractor procured by the agency for the purpose of educating and informing the public about anatomical gifts; amending s. 765.517, F.S.; prohibiting an organ transplantation facility from charging a donor or his or her family member any fee for services relating to the procurement or donation of organs; amending s. 765.53, F.S.; requiring the agency to establish the Organ Transplant Technical Advisory Council for a specified purpose; providing for membership, meetings, and duties of the council; requiring the council to submit a report to the Governor, the Legislature, the Secretary of Health Care Administration, and the State Surgeon General by a specified date; providing for sovereign immunity of council members under certain circumstances; requiring the agency to adopt specified rules based on the council’s recommendations; providing for future legislative review and repeal of certain provisions; amending s. 765.543, F.S.; revising the duties of the Organ and Tissue Procurement and Transplantation Advisory Board; requiring the board to submit certain recommendations to the agency by a specified date; creating s. 765.548, F.S.; providing additional duties of the agency relating to organ transplantation facilities and organ procurement organizations and organ donation procedures and protocols; requiring the agency to publish certain data and information by a specified date and annually thereafter; amending s. 409.815, F.S.; conforming a provision to changes made by the act; providing an effective date.

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By the Committee on Banking and Insurance; and Senator Stargel—

**CS for SB 1564**—A bill to be entitled An act relating to the use of genetic information; amending s. 627.4301, F.S.; revising the definition of the term “genetic information”; defining the terms “life insurer” and “long-term care insurer”; specifying criteria that must be met before a life insurer, long-term care insurer, or disability income insurer may use genetic information for underwriting purposes; specifying prohibited acts by such insurers relating to genetic information; amending s. 760.40, F.S.; prohibiting companies providing direct-to-consumer commercial genetic testing from sharing certain information about a consumer with a life insurer or health insurer unless the company obtains the consumer’s prior written consent; providing an effective date.

By the Committee on Education; and Senator Hutson—

**CS for SB 1568**—A bill to be entitled An act relating to education; creating s. 446.541, F.S.; providing legislative intent; defining terms; providing that individuals enrolled in certain preapprenticeship programs are deemed to be employees of the state for purposes of receiving certain medical care under workers’ compensation coverage; amending s. 446.011, F.S.; revising legislative intent related to apprenticeship training; amending s. 446.021, F.S.; defining and redefining terms; amending s. 446.032, F.S.; revising the general duties of the Department of Education with regard to registered apprenticeship and registered preapprenticeship programs; amending s. 446.041, F.S.; requiring the department to review and evaluate uniform minimum standards for registered apprenticeship and registered preapprenticeship programs; amending s. 446.045, F.S.; conforming provisions to changes made by the act; revising the membership of the State Apprenticeship Advisory Council; revising meeting requirements; amending s. 446.051, F.S.; providing that registered apprenticeship or registered preapprenticeship program sponsors are responsible for the selection and training of certain personnel, as approved by the department; encouraging district school boards and Florida College System institution and state university boards of trustees to cooperate in providing certain equipment, supplies, and instructor salaries; amending s. 446.052, F.S.; encouraging certain boards of trustees to cooperate in developing and establishing registered apprenticeship and preapprenticeship programs that include career instruction; encouraging such boards and boards of trustees to cooperate with certain degree programs and certificate programs to ensure that certain individuals may be eligible to receive certain college credit; amending s. 446.071, F.S.; providing that certain organizations may be apprenticeship sponsors if they meet certain uniform minimum standards; updating terminology; removing the definition of the term “need”; amending s. 446.081, F.S.; revising the applicability of a certain limitation; repealing s. 446.091, F.S., relating to the adaptation and applicability of certain provisions to on-the-job training programs; amending s. 446.092, F.S.; revising criteria for apprenticeship occupations; amending s. 1003.4156, F.S.; providing that students are encouraged to complete one course in career and educational planning for promotion to high school from middle school; authorizing the Florida Virtual School to offer such courses; amending s. 1003.4282, F.S.; authorizing school districts and regional consortia to work with national providers to submit to the department for approval recommended career-themed courses that satisfy high school credit requirements; amending s. 1007.23, F.S.; requiring a statewide articulation agreement contain three mathematics pathways; requiring the Articulation Coordinating Committee to convene a representative workgroup composed of academic affairs administrators and faculty from state universities and Florida College System institutions; requiring the workgroup to report its recommendations to the committee, the Board of Governors, and the State Board of Education by a certain date; requiring the Articulation Coordinating Committee to approve the mathematics pathways by a specified date; amending s. 1007.2616, F.S.; requiring public schools to include computational thinking and foundational computer science skills in instruction to students; deleting obsolete language; authorizing school districts to apply to the department for funding for specified purposes; requiring the department to award funding to school districts or consortia using specified criteria; amending s. 1008.44, F.S.; requiring CAPE Industry Certification Funding List to incorporate by reference the industry certifications on the career pathways list approved for the Florida Gold Seal CAPE Scholars award; providing requirements for industry certifications associated with aviation-related and aerospace-related occupations; providing that such certifications are eligible for additional full-time equivalent membership; providing that the Commissioner of Education may limit CAPE industry certification and CAPE Digital Tool certificates to students in certain grades for a specified purpose; amending s. 1011.62, F.S.; revising the calculation of certain additional full-time equivalent membership relating to funding for the operation of schools; deleting a provision related to full-time equivalent membership calculation for elementary and middle students; providing for a calculation of full-time equivalent membership for aviation-related and aerospace-related occupations; authorizing the use of a specified percentage of certain funds for CAPE program expenses; limiting the amount of funds that may be used for administrative costs; prohibiting the use of CAPE funding to supplant funds provided for basic operation of the CAPE program; amending s. 1011.80, F.S.; revising performance funding for industry certifications for school district workforce education programs to provide for Federal Aviation Administration (FAA) industry certifi-

cations; amending s. 1011.802, F.S.; conforming provisions to changes made by the act; specifying the maximum amount of funds that may be used by the department to administer the Florida Pathways to Career Opportunities Grant Program; amending s. 1011.81, F.S.; revising performance funding for industry certifications for Florida College System Institutions to provide for FAA industry certifications; re-enacting s. 1009.25, F.S., relating to fee exemptions; providing an effective date.

By the Committee on Infrastructure and Security; and Senator Stewart—

**CS for SR 1572**—A resolution expressing the Legislature’s support for the adoption of policies that will prepare Florida for the environmental and economic impact of climate change, sea-level rise, and flooding, and recognizing the important role that resiliency and infrastructure will play in fortifying this state.

By the Committee on Children, Families, and Elder Affairs; and Senators Hooper and Perry—

**CS for SB 1586**—A bill to be entitled An act relating to the First Responders Suicide Deterrence Task Force; amending s. 14.2019, F.S.; establishing the task force adjunct to the Statewide Office for Suicide Prevention of the Department of Children and Families; specifying the task force’s purpose; providing for the composition and the duties of the task force; requiring the task force to submit reports to the Governor and the Legislature on an annual basis; providing for future repeal; providing an effective date.

By the Committee on Education; and Senators Perry and Cruz—

**CS for SB 1696**—A bill to be entitled An act relating to student athletes; amending s. 1006.165, F.S.; revising requirements for the availability of automated external defibrillators on school grounds; delaying implementation of a requirement that certain school employees and volunteers complete specified training; requiring that a school employee or volunteer who has received the training be present at certain athletic activities, by a specified date; requiring the Florida High School Athletic Association to establish certain requirements relating to student athlete safety; amending s. 1006.20, F.S.; requiring that a medical evaluation be performed before a student begins conditioning; applying requirements related to medical evaluations to activities occurring outside the school year; providing an effective date.

By the Committee on Criminal Justice; and Senator Brandes—

**CS for SB 1718**—A bill to be entitled An act relating to public meetings and records; amending s. 945.0912, F.S.; exempting from public meetings requirements the protected health information of specified inmates being considered for the conditional aging inmate release program; exempting from public records requirements certain records used by the reviewing panel to make a determination of the appropriateness of conditional aging inmate release and the recordings of closed panel review hearings; providing for legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

By the Committee on Criminal Justice; and Senator Brandes—

**CS for SB 1728**—A bill to be entitled An act relating to public meetings and records; amending s. 945.0911, F.S.; exempting from public meetings requirements the protected health information of specified inmates being considered for the conditional medical release program; exempting from public records requirements certain records used by the reviewing panel to make a determination of the appropriateness of conditional medical release and the recordings of closed panel review hearings; providing for legislative review and repeal of the

exemptions; providing a statement of public necessity; providing a contingent effective date.

By the Committee on Ethics and Elections; and Senator Hutson—

**CS for SB 1794**—A bill to be entitled An act relating to constitutional amendments proposed by initiative; amending s. 15.21, F.S.; requiring the Secretary of State to submit an initiative petition to the Legislature when a certain amount of signatures are obtained; amending s. 16.061, F.S.; requiring the Attorney General to request the Supreme Court to address in an advisory opinion the specific validity of the proposed amendment under the United States Constitution; amending s. 100.371, F.S.; providing that a citizen may challenge a petition circulator’s failure to register with the Secretary of State; authorizing the Division of Elections or a supervisor of elections to provide petition forms in a certain electronic format; revising the length of time that a signature on a petition form is valid; requiring a supervisor to charge the actual cost of verifying petition forms; requiring the Department of State to adopt certain rules; revising the circumstances under which a petition form is deemed valid; requiring the Secretary of State to submit a copy of an initiative petition to the Financial Impact Estimating Conference; requiring the Financial Impact Estimating Conference to analyze the financial impact to the state of a proposed initiative; requiring certain ballot language based on the findings of the Financial Impact Estimating Conference; authorizing the use of legislative staff to analyze the effects of a citizen initiative under certain circumstances; amending s. 101.161, F.S.; requiring that ballots containing constitutional amendments proposed by initiative include certain disclosures and statements; defining the term “person”; amending s. 101.171, F.S.; requiring that a copy of the amendment text be made available in each voting booth; amending s. 106.07, F.S.; requiring a political committee sponsoring an initiative to disclose certain information in campaign finance reports; defining the term “person”; providing applicability; providing for severability; providing an effective date.

## EXECUTIVE BUSINESS

### SUSPENSION REPORTS

#### EXECUTIVE ORDER NUMBER 19-83

(Executive Order of Suspension)

WHEREAS, Article IV, Section 7(a) of Florida Constitution provides that the Governor may suspend from office any county officer for commission of a felony; and

WHEREAS, Kyle Martin Hudson is presently serving as Clerk of Court and Comptroller for Holmes County, Florida, having been elected in November 2012, and reelected in November 2016; and

WHEREAS, on March 19, 2019, Kyle Hudson was arrested for felony charges of organized scheme to defraud, in violation of section 817.034(4)(a)3, Florida Statutes, official misconduct, in violation of section 838.022(1)(a) and seven counts of money laundering in violation of section 896.101(3)(a) and (5)(a); and

WHEREAS, violation of sections 817.034(4)(a)3, 838.022(1)(a) and 896.101(3)(a) and (5)(a), Florida Statutes, constitute a felony of the third degree; and

WHEREAS, it is in the best interests of the residents of the Holmes County, and the citizens of the State of Florida, that Kyle Martin Hudson be immediately suspended from the public office, which he now holds, upon the grounds set forth in this executive order.

NOW, THEREFORE, I, RON DESANTIS, Governor of Florida, pursuant to Article IV, Section 7(a), find as follows:

- A. Kyle Martin Hudson is, and at all times material hereto was, Clerk of Court and Comptroller for Holmes County, Florida.
- B. The office of Clerk of Court and Comptroller, Holmes County, Florida, is within the purview of the suspension powers of the Governor, pursuant to Article IV, Section 7(a).



- C. The attached Arrest Warrant allege that Kyle Martin Hudson has committed felony acts in violation of the Laws of Florida. This suspension is predicated upon the attached Arrest Warrant which are incorporated as if fully set forth in this Executive Order.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the Laws of the State of Florida, this Executive Order is issued, effective immediately:

*Section 1.* Kyle Martin Hudson is suspended from the public office, which he now holds, to wit: Clerk of Court and Comptroller for Holmes County, Florida.

*Section 2.* Kyle Martin Hudson is prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from today, until further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at the Capital, Tallahassee, Florida, this 20th day of March, 2019.

*Ron DeSantis*  
GOVERNOR

ATTEST:

*Laurel M. Lee*

SECRETARY OF STATE

[Referred to the Senate Special Master on March 22, 2019.]

Mr. Kyle M. Hudson  
1274 Cypress Trace  
Westville, Florida 32464  
VIA CERTIFIED MAIL

March 22, 2019

RE: Executive Order of Suspension, Executive Order 19-83

Dear Mr. Hudson:

The Florida Senate has received Executive Order 19-83 in which the Governor has suspended you from office as Clerk of Court and Comptroller for Holmes County, Florida. Pursuant to Article IV, s7(b) of the Florida Constitution, the Florida Senate may remove you from office or reinstate you.

You have a right to a hearing conducted in accordance with Part V, Chapter 112, Florida Statutes and Senate Rule 12. However, Senate Rule 12.9(2) requires all inquiry, investigation, or hearings be held in abeyance and not considered by the Senate until the pending charges are dismissed or until final determination of the criminal charges is rendered, including the exhaustion of all appellate remedies. Given the pending criminal charges against you, the Senate's consideration of your suspension is held in abeyance pursuant to Senate Rules 12.9(2).

At the conclusion of the pending criminal matter, should you wish to have a hearing, it is your responsibility to submit your written request to the Office of the Senate Secretary. Senate Special Counsel Christie Letarte has been appointed as the special master in this matter should a hearing be necessary. Until the criminal matter is resolved, please direct any questions to the Secretary of the Senate at the contact information below. It is your responsibility to make sure the Senate has your correct contact information.

If you choose to submit your written resignation to the Governor's Office, please provide a copy of the resignation to the Office of the Senate Secretary. The Secretary will record your decision to resign in the official records of the Senate and this matter will be closed.

To learn more about the Senate's process, or to access applicable statutes and rules, please visit the Senate website, [www.flsenate.gov](http://www.flsenate.gov), and navigate to the Executive Suspensions webpage, <http://www.flsenate.gov/Session/ExecutiveSuspensions>.

If you have any questions concerning this notice, please contact the undersigned.

*Debbie Brown*  
Secretary

Governor Ron DeSantis  
State of Florida  
The Capitol  
400 S. Monroe Street  
Tallahassee, FL 32399-0001

January 26, 2020

Governor DeSantis,

With gratitude to the citizens of Holmes County for the trust they placed in me from 2012-2019, I do hereby resign my position as Clerk of Court and Comptroller in Holmes County, effective immediately.

Sincerely,  
Kyle Hudson

#### MEMORANDUM

To: Debbie Brown, Secretary  
From: Bill Galvano, President  
Subject: Executive Order of Suspension 19-83,  
In Re Kyle Martin Hudson  
Date: January 27, 2020

On March 22, 2019, I referred Executive Order Number 19-83 regarding the suspension of Mr. Kyle M. Hudson from office as Clerk of Court and Comptroller of Holmes County, Florida, to Senate Special Counsel Christie Letarte.

The Senate has received notification of Mr. Hudson's resignation dated January 26, 2020. Based on this information, the referral to Special Counsel Letarte is withdrawn. There being no further action required by the Senate on this suspension, the matter is closed.

#### EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

| <i>Office and Appointment</i>  | <i>For Term Ending</i> |
|--|------------------------|
| Florida Citrus Commission<br>Appointee: Meador, Paul Jackson, Jr., Fort<br>Denard              | 05/31/2022             |
| Florida Development Finance Corporation<br>Appointee: Louis-Charles, Ayanna, Pembroke<br>Pines | 05/02/2021             |
| Higher Educational Facilities Financing Authority<br>Appointee: Wagner, Tracy A., Bradenton    | 01/17/2024             |
| Jacksonville Port Authority<br>Appointee: Clark, John Palmer, Jacksonville                     | 09/30/2021             |

**Referred to the Committee on Ethics and Elections.**



*Office and Appointment*

*For Term  
Ending*

Investment Advisory Council

Appointee: Canida, Maria Teresa, Coral Gables 12/12/2022

**Referred to the Committees on Governmental Oversight and Accountability; and Ethics and Elections.**

**CORRECTION AND APPROVAL OF JOURNAL**

The Journals of January 22 and January 27 were corrected and approved.

**CO-INTRODUCERS**

Senators Albritton—CS for SB 712; Berman—SB 190; Bracy—CS for SB 700, SB 1490; Brandes—CS for SB 700; Cruz—SB 120, SB 190, SB 752, SB 1006, SB 1696; Flores—SB 158, SB 206, SB 772, SB 1644; Gibson—SB 88; Harrell—SB 1454; Hooper—SB 120; Hutson—SB 1548; Mayfield—SB 120; Perry—SB 1062, SB 1130, SB 1438; Rodriguez—SB 496; Torres—SB 206, CS for SB 668, SB 1194

**ADJOURNMENT**

On motion by Senator Benacquisto, the Senate adjourned at 5:35 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 3:00 p.m., Tuesday, February 4 or upon call of the President.

JOURNAL OF THE SENATE

Daily Numeric Index for

January 29, 2020

BA — Bill Action  
BF — Bill Failed  
BP — Bill Passed  
CO — Co-Introducers  
CR — Committee Report

CS — Committee Substitute, First Reading  
FR — First Reading  
MO — Motion  
RC — Reference Change

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| <b>CS/SB 1482</b> ..... | (CS) 222 | <b>CS/SB 1718</b> ..... | (CR) 223           |
| <b>SB 1482</b> .....    | (CR) 215 | <b>SB 1718</b> .....    | (CR) 215           |
| <b>SB 1490</b> .....    | (CO) 225 | <b>CS/SB 1728</b> ..... | (CS) 223           |
| <b>SB 1492</b> .....    | (CR) 214 | <b>SB 1728</b> .....    | (CR) 215           |
| <b>CS/SB 1516</b> ..... | (CS) 222 | <b>SB 1742</b> .....    | (CR) 214           |
| <b>SB 1516</b> .....    | (CR) 215 | <b>SB 1772</b> .....    | (CR) 213           |
| <b>SB 1548</b> .....    | (CO) 225 | <b>CS/SB 1794</b> ..... | (CS) 223           |
| <b>SB 1556</b> .....    | (CR) 214 | <b>SB 1794</b> .....    | (CR) 215           |
| <b>CS/SB 1564</b> ..... | (CS) 222 | <b>SB 2500</b> .....    | (MO) 213           |
| <b>SB 1564</b> .....    | (CR) 215 | <b>SB 2502</b> .....    | (MO) 213           |
| <b>CS/SB 1568</b> ..... | (CS) 222 | <b>SB 7002</b> .....    | (CR) 214           |
| <b>SB 1568</b> .....    | (CR) 215 | <b>SB 7006</b> .....    | (CR) 214           |
| <b>CS/SR 1572</b> ..... | (CS) 223 | <b>SB 7020</b> .....    | (CR) 216           |
| <b>SR 1572</b> .....    | (CR) 215 | <b>SB 7032</b> .....    | (CR) 214           |
| <b>CS/SB 1586</b> ..... | (CS) 223 | <b>SB 7034</b> .....    | (CR) 214           |
| <b>SB 1586</b> .....    | (CR) 215 | <b>SB 7036</b> .....    | (CR) 214           |
| <b>SB 1618</b> .....    | (CR) 214 | <b>SB 7038</b> .....    | (CR) 214           |
| <b>SB 1644</b> .....    | (CO) 225 | <b>SB 7040</b> .....    | (FR) 216           |
| <b>SB 1672</b> .....    | (CR) 214 | <b>SB 7046</b> .....    | (FR) 217           |