



Journal of the Senate

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CONTENTS

Bills on Special Orders	269
Bills on Third Reading	259
Call to Order	258
Co-Introducers	274
Committee Substitutes, First Reading	270
Executive Business, Reports	270
House Messages, Returning	269
Messages from the Governor	274
Moment of Silence	259
Motions	269
Reference Changes, Rule 4.7(2)	274
Reports of Committees	269
Resolutions	258
Special Order Calendar	262
Special Recognition	259

CALL TO ORDER

The Senate was called to order by President Passidomo at 3:30 p.m. A quorum present—40:

Madam President	Davis	Pizzo
Albritton	DiCeglie	Polsky
Avila	Garcia	Powell
Baxley	Grall	Rodriguez
Berman	Gruters	Rouson
Book	Harrell	Simon
Boyd	Hooper	Stewart
Bradley	Hutson	Thompson
Brodeur	Ingoglia	Torres
Broxson	Jones	Trumbull
Burgess	Martin	Wright
Burton	Mayfield	Yarborough
Calatayud	Osgood	
Collins	Perry	

PRAYER

The following prayer was offered by The Reverend Bret Hays, Advent Episcopal Church, Tallahassee:

Almighty God, giver of all enlightenment, we give you thanks for blessing our forebears with the gift of wisdom, especially the wisdom to discern the rights and welfare of the people, to cherish freedom, and to establish democracy in this land to protect these good things. In like manner, bless this great legislative body and those who support them with your wisdom, that all people of our great state might flourish in the grace and peace you intend for all humanity. Amen.

PLEDGE

Senate Pages, Courtney Laird of Orange Park; Ryder Radecki of St. Augustine; and Brady White of Fleming Island, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Jay Epstein of Pinellas Park as the doctor of the day, here at her invitation. Dr. Epstein specializes in anesthesiology and critical care medicine.

ADOPTION OF RESOLUTIONS

At the request of Senator Avila—

By Senator Avila—

SR 1118—A resolution recognizing the outstanding service of Adjutant General James O. Eifert throughout his illustrious military career, on the occasion of his retirement.

WHEREAS, Major General James O. Eifert is assigned as the Adjutant General, Florida, serving since April 2019 as the senior military advisor to the Governor, responsible for the overall management, readiness, and mobilization of both the United States Army and the United States Air Force elements of the Florida National Guard, and

WHEREAS, during his tenure as the Adjutant General, Major General James O. Eifert has provided exemplary guidance and leadership during the approach and aftermath of two major hurricanes and other natural disasters and during this state’s unprecedented response to the COVID-19 pandemic, and

WHEREAS, since the time of his commission from the United States Air Force Academy in June 1982 and his graduation from the United States Air Force Fighter Weapons School in December 1992, Major General James O. Eifert has consistently demonstrated exceptional leadership abilities, and

WHEREAS, with his boundless energy and commitment, Major General James O. Eifert has contributed immeasurably to the readiness and well-being of members of the Florida National Guard and the Department of Military Affairs, and

WHEREAS, Major General James O. Eifert is retiring from military service on April 22, 2023, NOW, THEREFORE,

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

That Adjutant General James O. Eifert is recognized for his outstanding service throughout his illustrious military career, on the occasion of his retirement as the senior military advisor to the Governor.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Adjutant General James O. Eifert as a tangible token of the sentiments of the Florida Senate.

—was introduced, read, and adopted by publication.

At the request of Senator Martin—

By Senator Martin—

SR 1726—A resolution recognizing March 28, 2023, as “Florida Gulf Coast University Day” in Florida.

WHEREAS, in May 1991, then-Governor Lawton Chiles signed into law a bill passed by the Florida Legislature authorizing the creation of Florida’s 10th public university, Florida Gulf Coast University (FGCU),

to provide higher education opportunities and workforce development in the previously underserved region of Southwest Florida, and

WHEREAS, FGCU opened its doors to 2,584 students on August 25, 1997, and held its first commencement of 81 graduates in May 1998, and

WHEREAS, FGCU has been led by four outstanding and dynamic presidents: Roy McTarnaghan, William C. Merwin, Wilson G. Bradshaw, and Michael V. Martin, and

WHEREAS, with the leadership and vision of current President Michael V. Martin and the FGCU Board of Trustees, FGCU students have a clear pathway to success and an academic home that embraces college affordability for all students, and

WHEREAS, FGCU's top priority is student success, with internships, credentialing opportunities, and a focus on providing the necessary academic resources and laboratory facilities to allow students to timely complete degrees from one of the six colleges providing essential programs, and

WHEREAS, FGCU has an accomplished faculty and a dedicated staff who help students gain necessary skills and abilities to meet regional and statewide workforce needs, and

WHEREAS, FGCU has strategically grown into a regional university of more than 16,000 students and today offers 63 undergraduate, 26 graduate, and 7 doctoral programs and 18 academic certificates, and

WHEREAS, FGCU's pathways to student success have led to national prominence in academics, environmental sustainability, and student service learning, with 4.4 million hours contributed to the Southwest Florida community since 1997, and

WHEREAS, FGCU emphasizes innovative and interdisciplinary learning, using the region as a living laboratory while offering students diverse opportunities to participate in meaningful research led by their professors, and

WHEREAS, in 2022, The Water School opened its doors to create a University of Distinction program that will provide FGCU the foundation to pursue designation as a recognized state and national leader in the area of water, focusing on local issues to address challenges throughout the world, and

WHEREAS, FGCU continues to work collaboratively with the State University System to meet regional and statewide workforce needs by graduating career-ready students from Marieb College's School of Nursing, which has one of the highest first-time passage rates in the State University System on the required nursing licensure examination, and

WHEREAS, FGCU has established the Daveler & Kauanui School of Entrepreneurship, where students chart their paths to career success, whether it be securing great jobs after graduation, creating startup companies, transitioning into family businesses, or starting artistic careers, leading the *Princeton Review* to recognize the school as the highest-ranked undergraduate entrepreneurship program in Florida and 15th in the nation, and

WHEREAS, with more than 20 chapters around the nation, the FGCU Alumni Association has more than 42,822 members, with 70 percent of graduates working in their respective fields of study and with more than 2,000 businesses started by graduates in Southwest Florida, and

WHEREAS, FGCU strives to bring diversification of the economy to the region through innovation in agribusiness, construction management, environmental engineering, and public health, and

WHEREAS, FGCU serves and engages its surrounding community, offering a wealth of enrichment opportunities, including visual arts, music, theater, and public radio and television, and

WHEREAS, FGCU's athletics programs continue to be a growing source of pride for their loyal fans, with student-athletes continuing to also demonstrate their academic strengths, and

WHEREAS, the collegiate experience enriches the lives of FGCU students and serves the surrounding community through "Turning Ideas into Impact" and the university's longstanding commitment to service, NOW, THEREFORE,

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

That March 28, 2023, is recognized as "Florida Gulf Coast University Day" in Florida.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Michael V. Martin, Ph.D., president of Florida Gulf Coast University, as a tangible token of the sentiments of the Florida Senate.

—was introduced, read, and adopted by publication.

MOMENT OF SILENCE

At the direction of the President, the Senate observed a moment of silence in memory of the three students and three staff members whose lives were lost due to gun violence that occurred at The Covenant School in Nashville, Tennessee, on March 27, 2023.

SPECIAL RECOGNITION

Senator Burgess recognized this day as Vietnam War Veterans Day in Florida and this year as the fiftieth anniversary of Operation Homecoming when 591 American prisoners of war were repatriated from North Vietnam following the Paris Peace Accords. In honor of this special occasion, Senator Burgess recognized Senator Torres for his service as a U.S. Marine Corps Veteran during the Vietnam War and welcomed him home. On behalf of the Senate, in recognition of his years of service, Senator Torres was presented with a veteran's medal from the Florida Veterans Foundation and a signed proclamation from Governor Ron DeSantis.

BILLS ON THIRD READING

CS for CS for SB 256—A bill to be entitled An act relating to employee organizations representing public employees; amending s. 447.301, F.S.; requiring a public employee who desires to be a member of an employee organization to sign a membership authorization form beginning on a specified date; requiring that such form include a specified statement; authorizing a public employee to revoke membership in an employee organization at any time of the year; requiring an employee organization to revoke a public employee's membership upon receipt of his or her written request for revocation; prohibiting an employee organization from limiting an employee's right to revoke membership to certain dates; prohibiting a revocation form from requiring a reason for the public employee's decision to revoke his or her membership; requiring employee organizations to retain such authorization forms and requests for revocation for inspection by the Public Employees Relations Commission; providing applicability with respect to certain employee organizations; authorizing the commission to adopt rules; amending s. 447.303, F.S.; prohibiting certain employee organizations from having dues and uniform assessments deducted and collected by the employer from certain salaries; authorizing public employees to pay dues and uniform assessments directly to the employee organization; authorizing certain employee organizations to have dues and uniform assessments deducted and collected by the employer from certain salaries; amending s. 447.305, F.S.; revising requirements for applications for initial registrations and renewals of registration of employee organizations; providing procedures for incomplete applications; requiring certain employee organizations to petition the commission for recertification as bargaining agents; authorizing a public employer or bargaining unit employee to challenge an employee organization's application for renewal of registration; requiring the commission or one of its designated agents to review the application; requiring the commission to revoke the registration and certification of the employee organization in certain circumstances; authorizing the commission to conduct investigations for specified purposes; authorizing the commission to revoke or deny an employee organization's registration or certification under certain circumstances; specifying that

certain decisions issued by the commission are reviewable final agency actions; providing applicability with respect to certain employee organizations; requiring certain employee organizations to provide their members with an annual audited financial report; requiring employee organizations to notify their members annually of all costs of membership; amending s. 447.509, F.S.; revising prohibitions for employee organizations and certain persons and entities relating to employee organizations; amending s. 1012.2315, F.S.; removing duplicative provisions; reenacting ss. 110.114(3) and 447.507(6)(a), F.S., relating to employee wage deductions and violation of strike prohibition and penalties, respectively, to incorporate the amendment made to s. 447.303, F.S., in references thereto; providing effective dates.

—as amended March 23, was read the third time by title.

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

Senator Ingoglia moved the following amendment:

Amendment 1 (690590) (with title amendment)—Delete lines 124-127 and insert:

Section 2. Subsection (12) is added to section 447.207, Florida Statutes, to read:

447.207 Commission; powers and duties.—

(12) Upon a petition by a public employer after it has been notified by the Department of Labor that the public employer's protective arrangement covering mass transit employees does not meet the requirements of 49 U.S.C. s. 5333(b) and would jeopardize the employer's continued eligibility to receive Federal Transit Administration funding, the commission may waive, to the extent necessary for the public employer to comply with the requirements of 49 U.S.C. s. 5333(b), any of the following for an employee organization that has been certified as a bargaining agent to represent mass transit employees:

(a) The prohibition on dues and assessment deductions provided in s. 447.303(1).

(b) The requirement to petition the commission for recertification.

(c) The revocation of certification provided in s. 447.305(6) and (7).

Section 3. Effective July 1, 2023, section 447.303, Florida Statutes, is amended to read:

447.303 Dues; deduction and collection.—

(1) Except as authorized in subsection (2) or subject to a waiver granted pursuant to s. 447.207(12)(a), an employee

And the title is amended as follows:

Delete line 22 and insert: the commission to adopt rules; amending s. 447.207, F.S.; authorizing the commission to waive certain provisions for specified employee organizations under certain circumstances; amending s. 447.303,

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

Substitute Amendment 2 (436266) (with title amendment)—Delete lines 120-299 and insert:
943.10(1), (2), or (3), respectively; firefighters as defined in s. 633.102; or emergency medical technicians as defined in s. 401.23.

7. The commission may adopt rules to implement this paragraph.

Section 2. Subsection (12) is added to section 447.207, Florida Statutes, to read:

447.207 Commission; powers and duties.—

(12) Upon a petition by a public employer after it has been notified by the Department of Labor that the public employer's protective arrangement covering mass transit employees does not meet the requirements of 49 U.S.C. s. 5333(b) and would jeopardize the employer's continued eligibility to receive Federal Transit Administration funding, the com-

mission may waive, to the extent necessary for the public employer to comply with the requirements of 49 U.S.C. s. 5333(b), any of the following for an employee organization that has been certified as a bargaining agent to represent mass transit employees:

(a) The prohibition on dues and assessment deductions provided in s. 447.303(1).

(b) The requirement to petition the commission for recertification.

(c) The revocation of certification provided in s. 447.305(6) and (7).

Section 3. Effective July 1, 2023, section 447.303, Florida Statutes, is amended to read:

447.303 Dues; deduction and collection.—

(1) Except as authorized in subsection (2) or subject to a waiver granted pursuant to s. 447.207(12)(a), an employee organization that has been certified as a bargaining agent may not have its dues and uniform assessments deducted and collected by the employer from the salaries of those employees in the unit. A public employee may pay dues and uniform assessments directly to the employee organization that has been certified as the bargaining agent.

(2)(a) An ~~any~~ employee organization that ~~which~~ has been certified as a bargaining agent to represent law enforcement officers, correctional officers, or correctional probation officers as those terms are defined in s. 943.10(1), (2), or (3), respectively; firefighters as defined in s. 633.102; or emergency medical technicians as defined in s. 401.23 ~~has shall have~~ the right to have its dues and uniform assessments deducted and collected by the employer from the salaries of those employees who authorize the deduction and collection of said dues and uniform assessments. However, such authorization is revocable at the employee's request upon 30 days' written notice to the employer and employee organization. Said deductions shall commence upon the bargaining agent's written request to the employer.

(b) Reasonable costs to the employer of said deductions is ~~shall be~~ a proper subject of collective bargaining.

(c) Such right to deduction, unless revoked ~~under pursuant to~~ s. 447.507, is ~~shall be~~ in force for so long as the employee organization remains the certified bargaining agent for the employees in the unit.

(3) The public employer is expressly prohibited from any involvement in the collection of fines, penalties, or special assessments.

Section 4. Effective October 1, 2023, section 447.305, Florida Statutes, is amended to read:

447.305 Registration of employee organization.—

(1) Every employee organization seeking to become a certified bargaining agent for public employees shall register with the commission pursuant to the procedures set forth in s. 120.60 prior to requesting recognition by a public employer for purposes of collective bargaining and prior to submitting a petition to the commission requesting certification as an exclusive bargaining agent. Further, if such employee organization is not registered, it may not participate in a representation hearing, participate in a representation election, or be certified as an exclusive bargaining agent. The application for registration required by this section shall be under oath and in such form as the commission may prescribe and shall include:

(a) The name and address of the organization and of any parent organization or organization with which it is affiliated.

(b) The names and addresses of the principal officers and all representatives of the organization.

(c) The amount of the initiation fee and of the monthly dues which members must pay.

(d) The current annual audited financial statement of the organization.

(e) The name of its business agent, if any; if different from the business agent, the name of its local agent for service of process; and the addresses where such person or persons can be reached.

(f) A pledge, in a form prescribed by the commission, that the employee organization will conform to the laws of the state and that it will accept members without regard to age, race, sex, religion, or national origin.

(g) A copy of the current constitution and bylaws of the employee organization.

(h) A copy of the current constitution and bylaws of the state and national groups with which the employee organization is affiliated or associated. In lieu of this provision, and upon adoption of a rule by the commission, a state or national affiliate or parent organization of any registering labor organization may annually submit a copy of its current constitution and bylaws.

(2) A registration granted to an employee organization pursuant to the provisions of this section shall run for 1 year from the date of issuance. A registration shall be renewed annually by filing application for renewal under oath with the commission, which application shall reflect any changes in the information provided to the commission in conjunction with the employee organization's preceding application for registration or previous renewal, whichever is applicable. Each application for renewal of registration shall include a current annual *audited financial statement, certified by an independent certified public accountant licensed under chapter 473 and report, signed by the employee organization's president and treasurer or corresponding principal officers, containing the following information in such detail as may be necessary accurately to disclose its financial condition and operations for its preceding fiscal year and in such categories as the commission may prescribe:*

- (a) Assets and liabilities at the beginning and end of the fiscal year;
- (b) Receipts of any kind and the sources thereof;
- (c) Salary, allowances, and other direct or indirect disbursements, including reimbursed expenses, to each officer and also to each employee who, during such fiscal year, received more than \$10,000 in the aggregate from such employee organization and any other employee organization affiliated with it or with which it is affiliated or which is affiliated with the same national or international employee organization;
- (d) Direct and indirect loans made to any officer, employee, or member which aggregated more than \$250 during the fiscal year, together with a statement of the purpose, security, if any, and arrangements for repayment; and
- (e) Direct and indirect loans to any business enterprise, together with a statement of the purpose, security, if any, and arrangements for repayment.

(3) *In addition to subsection (2), an employee organization that has been certified as the bargaining agent for public employees must include for each such certified bargaining unit the following information and documentation as of the 30th day immediately preceding the date of renewal in its application for any renewal of registration on or after October 1, 2023:*

- (a) *The number of employees in the bargaining unit who are eligible for representation by the employee organization.*
- (b) *The number of employees in the bargaining unit who have submitted signed membership authorization forms without a subsequent revocation of such membership.*
- (c) *The number of employees in the bargaining unit who paid dues to the employee organization.*
- (d) *The number of employees in the bargaining unit who did not pay dues to the employee organization.*
- (e) *Documentation provided by an independent certified public accountant retained by the employee organization which verifies the information provided in paragraphs (a)-(d).*

(4) *The employee organization must provide a copy of its application for renewal of registration relating to a public employer's employees to the public employer on the same day the application is submitted to the commission.*

(5) *An application for renewal of registration is incomplete and is not eligible for consideration by the commission if it does not include all of the information and documentation required in subsection (3). The commission shall notify the employee organization if the application is incomplete. An incomplete application must be dismissed if the required information and documentation are not provided within 10 days after the employee organization receives such notice.*

(6) *Notwithstanding the provisions of this chapter relating to collective bargaining, an employee organization that had less than 60 percent of the employees eligible for representation in the bargaining unit pay dues during its last registration period must petition the commission pursuant to s. 447.307(2) and (3) for recertification as the exclusive representative of all employees in the bargaining unit within 1 month after the date on which the employee organization applies for renewal of registration pursuant to subsection (2). The certification of an employee organization that does not comply with this section is revoked.*

(7) *The public employer or a bargaining unit employee may challenge an employee organization's application for renewal of registration if the public employer or bargaining unit employee believes that the application is inaccurate. The commission or one of its designated agents shall review the application to determine its accuracy and compliance with this section. If the commission finds that the application is inaccurate or does not comply with this section, the commission shall revoke the registration and certification of the employee organization.*

(8) *The commission may conduct an investigation to confirm the validity of any information submitted pursuant to this section. The commission may revoke or deny an employee organization's registration or certification if it finds that the employee organization:*

- (a) *Failed to cooperate with the investigation conducted pursuant to this subsection; or*
- (b) *Intentionally misrepresented the information it submitted pursuant to subsection (3).*

A decision issued by the commission pursuant to this subsection is a final agency action that is reviewable pursuant to s. 447.504.

(9) *Subsections (3)-(8) do not apply to an employee organization that has been certified as the bargaining agent to represent law enforcement officers, correctional officers, or correctional probation officers as those terms are defined in s. 943.10(1), (2), or (3), respectively; firefighters as defined in s. 633.102; or emergency medical technicians as defined in s. 401.23.*

And the title is amended as follows:

Delete line 22 and insert: the commission to adopt rules; amending s. 447.207, F.S.; authorizing the commission to waive certain provisions for specified employee organizations under certain circumstances; amending s. 447.303,

The question recurred on **Amendment 1 (690590)** which was adopted by two-thirds vote.

On motion by Senator Ingoglia, **CS for CS for SB 256**, as amended, was passed, ordered engrossed, and certified to the House. The vote on passage was:

Yeas—23

Madam President	Burton	Martin
Albritton	Calatayud	Mayfield
Avila	Collins	Perry
Baxley	DiCeglie	Rodriguez
Boyd	Grall	Trumbull
Brodeur	Harrell	Wright
Broxson	Hutson	Yarborough
Burgess	Ingoglia	

Nays—17

Berman	Hooper	Rouson
Book	Jones	Simon
Bradley	Osgood	Stewart
Davis	Pizzo	Thompson
Garcia	Polsky	Torres
Gruters	Powell	

SPECIAL ORDER CALENDAR

SB 736—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; adding nitazene derivatives to the list of Schedule I controlled substances; providing an effective date.

—was read the second time by title. On motion by Senator Brodeur, by two-thirds vote, **SB 736** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Madam President	Davis	Pizzo
Albritton	DiCeglie	Polsky
Avila	Garcia	Powell
Baxley	Grall	Rodriguez
Berman	Gruters	Rouson
Book	Harrell	Simon
Boyd	Hooper	Stewart
Bradley	Hutson	Thompson
Brodeur	Ingoglia	Torres
Broxson	Jones	Trumbull
Burgess	Martin	Wright
Burton	Mayfield	Yarborough
Calatayud	Osgood	
Collins	Perry	

Nays—None

Consideration of **CS for CS for SB 154** was deferred.

CS for SB 150—A bill to be entitled An act relating to public safety; amending s. 27.53, F.S.; conforming provisions to changes made by the act; amending s. 30.15, F.S.; requiring sheriffs to assist private schools in complying with a certain statute; authorizing a private school to request the sheriff to establish a guardian program under certain conditions; providing requirements for the guardian program; authorizing certified individuals to serve as school guardians if appointed by the applicable private school head of school; revising the training program hours required for school employees to be certified as school guardians; amending s. 768.28, F.S.; revising a definition; amending s. 790.001, F.S.; defining the term “handgun”; amending s. 790.01, F.S.; authorizing a person to carry a concealed weapon or concealed firearm if he or she is licensed to do so or meets specified requirements; specifying that the state bears the burden of proof for certain violations; creating s. 790.013, F.S.; requiring a person who is carrying a concealed weapon or concealed firearm without a license to carry valid identification and display such identification upon demand by a law enforcement officer; providing a noncriminal penalty; prohibiting a person who is carrying a concealed weapon or concealed firearm without a license from carrying such weapon or firearm in specified locations; amending s. 790.015, F.S.; authorizing a nonresident to carry a concealed weapon or concealed firearm in this state if he or she meets the same requirements as a resident; removing a requirement that limits recognition of concealed firearm licenses to those states that honor Florida concealed weapon or concealed firearm licenses; amending s. 790.052, F.S.; conforming provisions to changes made by the act; amending s. 790.053, F.S.; specifying that it is not a violation of specified provisions for persons authorized to carry a concealed weapon or concealed firearm without a license to briefly and openly display a firearm under specified circumstances; amending s. 790.06, F.S.; defining the term “concealed weapon or concealed firearm”; removing a requirement that a person who is licensed to carry a concealed weapon or concealed firearm must carry such license while he or she is in actual possession of a concealed

weapon or concealed firearm; revising legislative findings; making technical changes; amending s. 790.0655, F.S.; making technical changes; amending s. 790.115, F.S.; providing that a person who is authorized to carry a concealed weapon or concealed firearm without a license is subject to specified penalties for possessing such weapon or firearm at a school-sponsored event or on school property; conforming provisions to changes made by the act; revising applicability; repealing s. 790.145, F.S., relating to the possession of firearms or destructive devices within the premises of pharmacies; amending s. 790.25, F.S.; providing that a person who is authorized to carry a concealed weapon or concealed firearm may carry such weapon or firearm on his or her person in a private conveyance under certain circumstances; conforming provisions to changes made by the act; making technical changes; amending s. 790.251, F.S.; revising the definition of the term “employee” to include any person who is authorized to carry a concealed weapon or concealed firearm; prohibiting an employer from conditioning employment upon the fact that an employee or a prospective employee is authorized to carry a concealed weapon or concealed firearm; amending s. 790.31, F.S.; removing the definition of the term “handgun”; creating s. 943.6873, F.S.; requiring each law enforcement agency in this state to create and maintain an active assailant response policy by a specified date; providing requirements for the policy; amending s. 1001.212, F.S.; requiring the Office of Safe Schools to develop a behavioral threat management operational process by a specified date; providing requirements for the process; revising provisions requiring the office to develop a Florida-specific behavioral threat assessment instrument by a specified date; revising requirements for the instrument; requiring the office to develop, host, maintain, and administer a threat management portal by a specified date; providing requirements for the threat management portal; providing a noncriminal penalty for an individual using the threat management portal for an unauthorized purpose; deleting provisions providing for the Statewide Threat Assessment Database Workgroup; authorizing the State Board of Education to adopt emergency rules; amending s. 1002.42, F.S.; authorizing a private school to partner with a law enforcement agency or security agency for specified purposes; requiring a private school that establishes a safe-school officer to comply with specified provisions of law; providing that the private school is responsible for certain implementation costs; amending s. 1003.25, F.S.; revising information included in verified reports of serious or recurrent behavior patterns; amending s. 1006.07, F.S.; redesignating threat assessment teams as threat management teams; requiring a charter school governing board to establish a threat management team; providing requirements for a threat management team; requiring the threat management team to prepare a specified report; authorizing the state board to adopt emergency rules; providing legislative findings; creating s. 1006.121, F.S.; requiring the Department of Education to establish the Florida Safe Schools Canine Program; requiring the Office of Safe Schools to consult with specified entities; defining the term “firearm detection canine”; providing requirements for the program; requiring the State Board of Education to adopt rules; amending s. 1006.13, F.S.; conforming provisions to changes made by the act; providing reporting requirements for certain school safety incidents; amending ss. 790.1612, 810.095, 921.0022, 921.0024, 943.051, 943.0585, 943.059, 985.11, and 1002.33, F.S.; conforming provisions to changes made by the act; providing appropriations; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for SB 150**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 543** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Collins—

CS for HB 543—A bill to be entitled An act relating to public safety; amending s. 27.53, F.S.; conforming provisions to changes made by the act; amending s. 30.15, F.S.; requiring sheriffs to assist private schools in complying with a certain statute; revising the name of a guardian program; authorizing a private school to request the sheriff to establish a guardian program under certain conditions; providing requirements for the guardian program; authorizing certified individuals to serve as school guardians if appointed by the applicable private school head of school; revising the training program hours required for school employees to be certified as school guardians; amending s. 768.28, F.S.; revising a definition; amending s. 790.001, F.S.; defining the term “handgun”; amending s. 790.01, F.S.; authorizing a person to carry a concealed weapon or concealed firearm if he or she is licensed to do so or

meets specified requirements; specifying the burden of proof for certain violations; creating s. 790.013, F.S.; requiring a person who is carrying a concealed weapon or concealed firearm without a license to carry valid identification and display such identification upon demand by a law enforcement officer; providing a noncriminal penalty; prohibiting a person who is carrying a concealed weapon or concealed firearm without a license from carrying such weapon or firearm in specified locations; amending s. 790.015, F.S.; authorizing a nonresident to carry a concealed weapon or concealed firearm in this state if he or she meets the same requirements as a resident; removing a requirement that limits recognition of concealed firearm licenses to those states that honor Florida concealed weapon or concealed firearm licenses; amending s. 790.052, F.S.; conforming provisions to changes made by the act; amending s. 790.053, F.S.; specifying that it is not a violation of specified provisions for persons authorized to carry a concealed weapon or concealed firearm without a license to briefly and openly display a firearm under specified circumstances; amending s. 790.06, F.S.; defining the term “concealed weapon or concealed firearm”; removing a requirement that a person who is licensed to carry a concealed weapon or concealed firearm must carry such license while he or she is in actual possession of a concealed weapon or concealed firearm; revising legislative findings; making technical changes; amending s. 790.0655, F.S.; making technical changes; amending s. 790.115, F.S.; providing that a person who is authorized to carry a concealed weapon or concealed firearm without a license is subject to specified penalties for possessing such weapon or firearm at a school-sponsored event or on school property; conforming provisions to changes made by the act; revising applicability; repealing s. 790.145, F.S., relating to the possession of firearms or destructive devices within the premises of pharmacies; amending s. 790.25, F.S.; providing that a person who is authorized to carry a concealed weapon or concealed firearm may carry such weapon or firearm on his or her person in a private conveyance under certain circumstances; conforming provisions to changes made by the act; making technical changes; amending s. 790.251, F.S.; revising the definition of the term “employee” to include any person who is authorized to carry a concealed weapon or concealed firearm; prohibiting an employer from conditioning employment upon the fact that an employee or a prospective employee is authorized to carry a concealed weapon or concealed firearm; amending s. 790.31, F.S.; removing the definition of the term “handgun”; amending s. 943.03, F.S.; conforming a provision to a change made by the act; creating s. 943.6873, F.S.; requiring each law enforcement agency in this state to create and maintain an active assailant response policy by a specified date; providing requirements for the policy; amending s. 1001.212, F.S.; requiring the Office of Safe Schools to develop a behavioral threat management operational process by a specified date; providing requirements for the process; revising provisions requiring the office to develop a Florida-specific behavioral threat assessment instrument by a specified date; revising requirements for the instrument; requiring the office to develop, host, maintain, and administer a threat management portal by a specified date; providing requirements for the threat management portal; providing a noncriminal penalty for an individual using the threat management portal for an unauthorized purpose; deleting provisions providing for the Statewide Threat Assessment Database Workgroup; authorizing the State Board of Education to adopt emergency rules; amending s. 1002.42, F.S.; authorizing a private school to partner with a law enforcement agency or security agency for specified purposes; conforming a provision to a change made by the act; requiring a private school that establishes a safe-school officer to comply with specified provisions of law; providing that the private school is responsible for certain implementation costs; amending s. 1003.25, F.S.; revising information included in verified reports of serious or recurrent behavior patterns; amending s. 1006.07, F.S.; redesignating threat assessment teams as threat management teams; requiring a charter school governing board to establish a threat management team; providing requirements for a threat management team; requiring the threat management team to prepare a specified report; authorizing the state board to adopt emergency rules; providing legislative findings; amending s. 1006.12, F.S.; conforming a provision to a change made by the act; creating s. 1006.121, F.S.; requiring the Department of Education to establish the Florida Safe Schools Canine Program; requiring the Office of Safe Schools to consult with specified entities; defining the term “firearm detection canine”; providing requirements for the program; requiring the State Board of Education to adopt rules; amending s. 1006.13, F.S.; conforming provisions to changes made by the act; providing reporting requirements for certain school safety incidents; amending ss. 790.1612, 810.095, 921.0022, 921.0024, 943.051, 943.0585, 943.059, 985.11, and

1002.33 F.S.; conforming provisions to changes made by the act; providing appropriations; providing effective dates.

—a companion measure, was substituted for **CS for SB 150** and read the second time by title.

Senator Book moved the following amendment which failed:

Amendment 1 (617732) (with title amendment)—Between lines 296 and 297 insert:

Section 3. Paragraph (qqq) is added to subsection (7) of section 212.08, Florida Statutes, to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any entity by this chapter do not inure to any transaction that is otherwise taxable under this chapter when payment is made by a representative or employee of the entity by any means, including, but not limited to, cash, check, or credit card, even when that representative or employee is subsequently reimbursed by the entity. In addition, exemptions provided to any entity by this subsection do not inure to any transaction that is otherwise taxable under this chapter unless the entity has obtained a sales tax exemption certificate from the department or the entity obtains or provides other documentation as required by the department. Eligible purchases or leases made with such a certificate must be in strict compliance with this subsection and departmental rules, and any person who makes an exempt purchase with a certificate that is not in strict compliance with this subsection and the rules is liable for and shall pay the tax. The department may adopt rules to administer this subsection.

(qqq) *Safe storage of firearms.*—The sale of a firearm safe, a firearm lockbox, or a firearm trigger lock is exempt from the tax imposed by this chapter.

And the title is amended as follows:

Delete line 14 and insert: school guardians; amending s. 212.08, F.S.; exempting from sales and use tax the sale of firearm safes, firearm lockboxes, and firearm trigger locks; amending s. 768.28, F.S.; revising a

Senator Berman moved the following amendment which failed:

Amendment 2 (611140)—Delete lines 489-561 and insert: license under s. 790.06(2)(a)-(f) and (h)-(n), (3), and (10).

(2)(1) Except as provided in subsection (5) (3), a person who does not meet the criteria in subsection (1) is not licensed under s. 790.06 and who carries a concealed weapon or electric weapon or device, as those terms are defined in s. 790.001, on or about his or her person commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(3)(2) Except as provided in subsection (5) (3), a person who does not meet the criteria in subsection (1) is not licensed under s. 790.06 and who carries a concealed firearm, as that term is defined in s. 790.001, on or about his or her person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(4) In any prosecution for a violation of subsection (2) or subsection (3), the state bears the burden of proving, as an element of the offense, both that a person is not licensed under s. 790.06 and that he or she is ineligible to receive and maintain such a license under the criteria listed in s. 790.06(2)(a)-(f) and (h)-(n), (3), and (10).

(5)(3) A person does not violate this section if he or she ~~This section does not apply to:~~

(a) Is lawfully in possession of ~~A person who carries~~ a concealed weapon or a concealed firearm, as those terms are defined in s. 790.001, ~~or a person who may lawfully possess a firearm and who carries such a~~ concealed weapon or concealed firearm, on or about his or her person

while in the act of evacuating during a mandatory evacuation order issued during a state of emergency declared by the Governor pursuant to chapter 252 or declared by a local authority pursuant to chapter 870. As used in this subsection, the term "in the act of evacuating" means the immediate and urgent movement of a person away from the evacuation zone within 48 hours after a mandatory evacuation is ordered. The 48 hours may be extended by an order issued by the Governor.

(b) ~~A person who~~ Carries for purposes of lawful self-defense, in a concealed manner:

1. A self-defense chemical spray.
2. A nonlethal stun gun or dart-firing stun gun or other nonlethal electric weapon or device that is designed solely for defensive purposes.

(6)(4) This section does not preclude any prosecution for the use of an electric weapon or device, a dart-firing stun gun, or a self-defense chemical spray during the commission of any criminal offense under s. 790.07, s. 790.10, s. 790.23, or s. 790.235, or for any other criminal offense.

Section 6. Section 790.013, Florida Statutes, is created to read:

790.013 Carrying of concealed weapons or concealed firearms without a license.—A person who carries a concealed weapon or concealed firearm without a license as authorized under s. 790.01(1)(b):

(1)(a) *Must carry valid identification at all times when he or she is in actual possession of a concealed weapon or concealed firearm and must display such identification upon demand by a law enforcement officer.*

(b) *A violation of this subsection is a noncriminal violation punishable by a \$25 fine, payable to the clerk of the court.*

(2) *Is subject to s. 790.06(12) in the same manner as a person who is licensed to carry a concealed weapon or concealed firearm.*

Section 7. Section 790.015, Florida Statutes, is amended to read:

~~790.015 Nonresidents who are United States citizens and hold a concealed weapons license in another state; reciprocity.—~~

(1) ~~Notwithstanding s. 790.01,~~ A nonresident of Florida may carry a concealed weapon or concealed firearm, *as that term is defined in s. 790.06(1), while in this state if the nonresident is a resident of the United States who is 21 years of age or older and he or she:*

(a) *Satisfies the criteria for receiving and maintaining a license to carry a concealed weapon or concealed firearm under s. 790.06(2)(a)-(f) and (h)-(n), (3), and (10); or*

The vote was:

Yeas—12

Berman	Osgood	Rouson
Book	Pizzo	Stewart
Davis	Polsky	Thompson
Jones	Powell	Torres

Nays—27

Madam President	Burton	Ingolia
Albritton	Calatayud	Martin
Avila	Collins	Mayfield
Baxley	DiCeglie	Perry
Boyd	Grall	Rodriguez
Bradley	Gruters	Simon
Brodeur	Harrell	Trumbull
Broxson	Hooper	Wright
Burgess	Hutson	Yarborough

Senator Polsky moved the following amendment which failed:

Amendment 3 (494682) (with title amendment)—Delete lines 490-503 and insert:

(2) *A person who is not licensed under s. 790.06 but is otherwise authorized under this section to carry a concealed weapon or concealed firearm is limited to carrying one concealed firearm on or about his or her person at a time. Such concealed firearm may not have a magazine capacity exceeding 16 rounds.*

(3)(1) ~~Except as provided in subsection (7) (3), a person who does not meet the criteria in subsection (1) is not licensed under s. 790.06 and who carries a concealed weapon or electric weapon or device, as those terms are defined in s. 790.001, on or about his or her person commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.~~

(4)(2) ~~Except as provided in subsection (7) (3), a person who does not meet the criteria in subsection (1) is not licensed under s. 790.06 and who carries a concealed firearm, as that term is defined in s. 790.001, on or about his or her person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

(5) *Except as provided in subsection (7), a person who carries a concealed firearm, as defined in s. 790.001, on or about his or her person in violation of subsection (2) by either carrying more than one concealed firearm on or about his or her person or by carrying a firearm with a magazine capacity exceeding 16 rounds commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.*

(6) *In any prosecution for a violation of subsection (3) or subsection (4), the state bears the burden of proving, as an*

And the title is amended as follows:

Delete line 19 and insert: specified requirements; providing concealed firearm and magazine capacity limitations; providing criminal penalties; specifying the burden of proof

Senator Book moved the following amendment which failed:

Amendment 4 (212780) (with directory and title amendments)—Between lines 661 and 662 insert:

(d) Is not ineligible to possess a firearm pursuant to s. 790.23 by virtue of having been:

1. Convicted of a felony; or
2. *Adjudicated delinquent for an act that would be a felony if committed by an adult and such person is under 24 years of age;*

(e) Has not been:

1. *Convicted of a misdemeanor crime of domestic violence;*
2. *Dishonorably discharged from any of the Armed Forces of the United States;*

3. Found guilty of a crime under the provisions of chapter 893 or similar laws of any other state relating to controlled substances within a 3-year period immediately preceding the date on which the application is submitted; or

~~4.2. Committed for the abuse of a controlled substance under chapter 397 or under the provisions of former chapter 396 or similar laws of any other state. An applicant who has been granted relief from firearms disabilities pursuant to s. 790.065(2)(a)4.d. or pursuant to the law of the state in which the commitment occurred is deemed not to be committed for the abuse of a controlled substance under this subparagraph;~~

And the directory clause is amended as follows:

Delete line 628 and insert:

Section 10. Subsection (1), paragraphs (d), (e), (g), and (h) of

And the title is amended as follows:

Delete line 46 and insert: concealed weapon or concealed firearm; revising the circumstances under which the Department of Agriculture and Consumer Services is required to issue a license to carry a concealed weapon or a concealed firearm to an applicant; revising

Senator Pizzo moved the following amendment which failed:

Amendment 5 (641176) (with title amendment)—Delete lines 808-828 and insert:

- ~~8. Any meeting of the Legislature or a committee thereof;~~
- ~~9. Any school, college, or professional athletic event not related to firearms;~~
- ~~9.10. Any elementary or secondary school facility or administration building;~~
- ~~10.11. Any career center;~~
- ~~11.12. Any portion of an establishment licensed to dispense alcoholic beverages for consumption on the premises, which portion of the establishment is primarily devoted to such purpose;~~
- ~~12.13. Any college or university facility unless the licensee is a registered student, employee, or faculty member of such college or university and the weapon is a stun gun or nonlethal electric weapon or device designed solely for defensive purposes and the weapon does not fire a dart or projectile;~~
- ~~13.14. The inside of the passenger terminal and sterile area of any airport, provided that no person shall be prohibited from carrying any legal firearm into the terminal, which firearm is encased for shipment for purposes of checking such firearm as baggage to be lawfully transported on any aircraft; or~~
- ~~14.15. Any place where the carrying of firearms is prohibited~~

And the title is amended as follows:

Delete line 46 and insert: concealed weapon or concealed firearm; removing the prohibition on carrying specified weapons into meetings of the Legislature or a committee thereof; revising

Senator Berman moved the following amendment which failed:

Amendment 6 (244120) (with title amendment)—Delete lines 872-875 and insert:

Section 11. Subsection (1) of section 790.065, Florida Statutes, is amended to read:

790.065 Sale and delivery of firearms.—

(1)(a) A licensed importer, licensed manufacturer, or licensed dealer may not sell or deliver from her or his inventory at her or his licensed premises any firearm to another person, other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector, until she or he has:

1. Obtained a completed form from the potential buyer or transferee, which form shall have been ~~adopted~~ promulgated by the Department of Law Enforcement and provided by the licensed importer, licensed manufacturer, or licensed dealer, which shall include the name, date of birth, gender, race, and social security number or other identification number of such potential buyer or transferee and has inspected proper identification including an identification containing a photograph of the potential buyer or transferee.

2. Collected a fee from the potential buyer for processing the criminal history check of the potential buyer. The fee shall be established by the Department of Law Enforcement and may not exceed \$8 per transaction. The Department of Law Enforcement may reduce, or suspend collection of, the fee to reflect payment received from the Federal Government applied to the cost of maintaining the criminal history check system established by this section as a means of facilitating or supplementing the National Instant Criminal Background Check System. The Department of Law Enforcement shall, by rule, establish procedures for the fees to be transmitted by the licensee to the Department of Law Enforcement. Such procedures must provide that fees may be paid or transmitted by electronic means, including, but not limited to, debit cards, credit cards, or electronic funds transfers. All such fees shall be deposited into the Department of Law Enforcement Operating Trust Fund, but shall be segregated from all other funds

deposited into such trust fund and must be accounted for separately. Such segregated funds must not be used for any purpose other than the operation of the criminal history checks required by this section. The Department of Law Enforcement, each year before February 1, shall make a full accounting of all receipts and expenditures of such funds to the President of the Senate, the Speaker of the House of Representatives, the majority and minority leaders of each house of the Legislature, and the chairs of the appropriations committees of each house of the Legislature. In the event that the cumulative amount of funds collected exceeds the cumulative amount of expenditures by more than \$2.5 million, excess funds may be used for the purpose of purchasing soft body armor for law enforcement officers.

3. Requested, by means of a toll-free telephone call or other electronic means, the Department of Law Enforcement to conduct a check of the information as reported and reflected in the Florida Crime Information Center and National Crime Information Center systems as of the date of the request.

4. Received a unique approval number for that inquiry from the Department of Law Enforcement, and recorded the date and such number on the consent form.

(b) However, if the person purchasing, or receiving delivery of, the firearm is a holder of a valid concealed weapons or firearms license pursuant to the ~~provisions of~~ s. 790.06 or holds an active certification from the Criminal Justice Standards and Training Commission as a “law enforcement officer,” a “correctional officer,” or a “correctional probation officer” as defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9), this subsection does not apply.

(c) This subsection does not apply to the purchase, trade, or transfer of a rifle or shotgun by a resident of this state when the resident makes such purchase, trade, or transfer from a licensed importer, licensed manufacturer, or licensed dealer in another state.

(d)1. *If neither party to a prospective firearms sale, lease, or transfer is a licensed dealer, the parties to the transaction must complete the sale, lease, or other transfer through a licensed dealer as follows:*

a. *The seller, lessor, or transferor must deliver the firearm to a licensed dealer who shall process the sale, lease, or transfer as if he or she were the seller, lessor, or transferor, except that the seller, lessor, or transferor who is not a licensed dealer may remove the firearm from the business premises of the licensed dealer while the background check is being conducted and while the waiting period requirement set forth in s. 790.0655 is being met. Other than allowing the unlicensed seller or transferor to remove the firearm from the licensed dealer's business premises, the licensed dealer shall comply with all requirements of federal and state law which would apply if he or she were the seller, lessor, or transferor of the firearm;*

b. *The licensed dealer shall conduct a background check on the buyer or other transferee in accordance with this section and, unless the transaction is prohibited, after all other legal requirements are met, including those set forth in s. 790.0655, the dealer shall either:*

(I) *Deliver the firearm to the seller, lessor, or transferor, who shall complete the transaction and deliver the firearm to the buyer; or*

(II) *If the seller, lessor, or transferor has removed the firearm from the licensed dealer's business premises, contact the seller, lessor, or transferor to let him or her know that he or she may complete the transaction and deliver the firearm to the buyer; and*

c. *If the licensed dealer cannot legally complete the transaction, the dealer must:*

(I) *Return the firearm to the seller, lessor, or transferor; or*

(II) *If the seller, lessor, or transferor has removed the firearm from the licensed dealer's business premises, contact the seller, lessor, or transferor to let him or her know that the transaction is prohibited, and the seller, lessor, or transferor may not deliver the firearm to the buyer.*

2. *The licensed dealer may require the buyer or other transferee to pay a fee covering the administrative costs incurred by the licensed dealer for facilitating the transfer of the firearm, plus applicable fees pursuant to federal and state law.*

3. This paragraph does not apply to:

a. The activities of the United States Marshals Service, members of the United States Armed Forces or the National Guard, or federal officials required to carry firearms while engaged in performing their official duties; and

b. The following activities, unless the lawful owner knows or has reasonable cause to believe that federal, state, or local law prohibits the transferee from purchasing or possessing a firearm, or that the transferee is likely to use the firearm for unlawful purposes:

(I) The delivery of a firearm to a gunsmith for service or repair, or the return of the firearm to its owner by the gunsmith;

(II) The transfer of a firearm to a carrier, warehouseman, or other person engaged in the business of transportation or storage, if the receipt, possession, or having on or about the person of any firearm is in the ordinary course of business and in conformity with federal, state, and local laws, and not for the personal use of any such person;

(III) The loan of a firearm solely for the purpose of shooting at targets, if the loan occurs on the premises of a properly licensed target facility and if the firearm is at all times kept within the premises of the target facility;

(IV) The loan of a firearm to a person who is younger than 18 years of age for lawful hunting, sporting, or educational purposes while under the direct supervision and control of a responsible adult;

(V) The loan of a firearm to a person who is 18 years of age or older if the firearm remains in the person's possession only while the person is accompanying the lawful owner and using the firearm for lawful hunting, sporting, or recreational purposes; or

(VI) The loan of a firearm to an adult family member of the lawful owner of the firearm, if the lawful owner resides with the family member but is not present in the residence, provided that the family member does not maintain control over the firearm for more than 10 consecutive days.

Section 12. Paragraph (a) of subsection (1) and paragraph (a) of subsection (2) of section 790.0655, Florida Statutes, are amended to read:

790.0655 Purchase and delivery of firearms; mandatory waiting period; exceptions; penalties.—

(1)(a) A mandatory waiting period is imposed between the purchase and delivery of a firearm, or the delivery through a private sale facilitated through a licensed dealer as provided in s. 790.065(1)(d). The mandatory waiting period is 3 days, excluding weekends and legal holidays, or expires upon the completion of the records checks required under s. 790.065, whichever occurs later. "Purchase" means the transfer of money or other valuable consideration to the retailer. "Retailer" means and includes a licensed importer, licensed manufacturer, or licensed dealer engaged in the business of making firearm sales at retail or for distribution, or use, or consumption, or storage to be used or consumed in this state, as defined in s. 212.02(13).

And the title is amended as follows:

Delete line 48 and insert: amending s. 790.065, F.S.; requiring that, if neither party to a sale, lease, or transfer of a firearm is a licensed dealer, the parties complete the sale, lease, or transfer through a licensed dealer; specifying procedures and requirements for a licensed dealer, seller, lessor, or transferor and for a buyer, lessee, or transferee; authorizing a licensed dealer to charge a buyer or transferee specified fees; providing applicability; amending s. 790.0655, F.S.; applying the mandatory 3-day waiting period to private sales of firearms facilitated through a licensed dealer; making technical changes;

Senator Stewart moved the following amendment which failed:

Amendment 7 (447572) (with title amendment)—Between lines 965 and 966 insert:

Section 14. Section 790.174, Florida Statutes, is amended to read:

790.174 Safe storage of firearms required.—

(1) A person who stores or leaves, on a premise or in a conveyance under his or her control, a loaded firearm, as defined in s. 790.001, or an unloaded firearm within close proximity of ammunition, and who knows or reasonably should know that a minor is likely to gain access to the firearm without the lawful permission of the minor's parent or the person having charge of the minor, or without the supervision required by law, shall keep the firearm in a securely locked box or container or in a location which a reasonable person would believe to be secure or shall secure it with a trigger lock, except when the person is carrying the firearm on his or her body or within such close proximity thereto that he or she can retrieve and use it as easily and quickly as if he or she carried it on his or her body.

(2) It is a misdemeanor of the first ~~second~~ degree, punishable as provided in s. 775.082 or s. 775.083, if a person violates subsection (1) by failing to store or leave a firearm in the required manner and as a result thereof a minor gains access to the firearm, without the lawful permission of the minor's parent or the person having charge of the minor, ~~and possesses or exhibits it, without the supervision required by law:~~

~~(a) In a public place; or~~

~~(b) In a rude, careless, angry, or threatening manner in violation of s. 790.10.~~

~~This subsection does not apply if the minor obtains the firearm as a result of an unlawful entry by any person.~~

(3) It is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if a person violates subsection (2) by failing to store or leave a firearm in the required manner and a minor gains access to the firearm without the lawful permission of the minor's parent or the person having charge of the minor, and the minor:

(a) Discharges such firearm, not in self-defense, and causes bodily harm to himself or herself or another person; or

(b) Gives the firearm to another person who discharges the firearm, not in self-defense, and causes bodily harm to any person.

(4)(a) A person who unsafely stores or leaves, in a conveyance, a firearm in such a manner that he or she knows or reasonably should know exposes the firearm to a heightened likelihood of theft commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(b) There is a presumption of safe storage that does not expose the firearm to heightened likelihood of theft under the following circumstances:

1. The firearm is stored in a lockbox or locked safe or has a trigger lock engaged.

2. The firearm is stored in a locked conveyance, and, if the firearm is a handgun, the firearm is outside of the plain view of a person outside of the conveyance.

3. The firearm is on the person or under the immediate control of the person lawfully allowed to possess the firearm.

(5) As used in this section ~~act~~, the term "minor" means any person under the age of 16.

And the title is amended as follows:

Between lines 57 and 58 insert: 790.174, F.S.; revising provisions related to the requirements for the safe storage of firearms; increasing the criminal penalties related to the safe storage provisions; providing criminal penalties for the failure to store or leave firearms in the required manner under specified circumstances; providing criminal penalties for the unsafe storing or leaving of a firearm in a conveyance under specified circumstances; providing for a presumption of safe storage under certain circumstances; amending s.

Senator Jones moved the following amendment which failed:

Amendment 8 (846968) (with title amendment)—Between lines 2430 and 2431 insert:

Section 43. *Community Violence Task Force.*—

(1) *The Community Violence Task Force, a task force as defined in s. 20.03(8), Florida Statutes, is created within the Department of Law Enforcement. Except as otherwise provided in this section, the task force shall comply with the requirements of s. 20.052, Florida Statutes.*

(2)(a) *The task force is composed of 15 members as follows:*

1. *Four members appointed by the Governor, one of whom the Governor shall designate as the chair of the task force.*
2. *Four members appointed by the President of the Senate, two of whom must be members of the Legislative Black Caucus of the Senate.*
3. *Four members appointed by the Speaker of the House of Representatives, two of whom must be members of the Legislative Black Caucus of the House of Representatives.*
4. *A representative from the Florida Sheriffs Association, nominated by the executive director and appointed by the Governor.*
5. *A representative from the Florida Police Chiefs Association, nominated by the executive director and appointed by the Governor.*
6. *The Secretary of Children and Families, or his or her designee.*

(b) *Members must be appointed no later than August 1, 2023. Members serve at the pleasure of the officer who appointed them, and a vacancy on the task force must be filled in the same manner as the original appointment. Members of the task force shall serve without compensation but are entitled to reimbursement for per diem and travel expenses pursuant to s. 112.061, Florida Statutes.*

(c) *The task force shall meet upon the call of the chair at a time and location in this state designated by the chair. The task force may not conduct its meetings by teleconference or other electronic means.*

(3) *The task force shall review system failures and the causes of high crime rates and violence in urban core neighborhoods and communities. In addition, the task force shall develop recommendations for solutions, programs, services, and strategies for improved interagency communication between local and state governmental agencies to help facilitate the reduction of crime and violence in urban core neighborhoods and communities.*

(4) *The Department of Law Enforcement shall provide staffing and administrative assistance to the task force in performing its duties. The task force may call upon other state agencies for such professional assistance as may be needed in the discharge of its duties, and such agencies shall provide such assistance in a timely manner.*

(5) *Notwithstanding any other law to the contrary, the task force may request and must be provided access to any information or records that pertain to crime or violent incidents in this state’s urban core neighborhoods and communities. Information or records obtained by the task force which are otherwise exempt or confidential and exempt must retain such exempt or confidential and exempt status, and the task force may not disclose any such information or records.*

(6) *The task force shall submit a report on its findings and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by June 1, 2025.*

(7) *This section expires June 30, 2025.*

And the title is amended as follows:

Delete line 124 and insert: providing appropriations; creating the Community Violence Task Force within the Department of Law Enforcement; providing for membership, duties, and meetings of the task force; requiring state agencies to provide assistance when requested; authorizing the task force to receive exempt or confidential and exempt information and specifying that the information maintains such status; requiring the task force to submit a report to the Governor and Legislature by a specified date; providing for expiration of the task force; providing effective dates.

The vote was:

Yeas—13

Berman	Osgood	Stewart
Book	Pizzo	Thompson
Davis	Polsky	Torres
Garcia	Powell	
Jones	Rouson	

Nays—27

Madam President	Burton	Ingoglia
Albritton	Calatayud	Martin
Avila	Collins	Mayfield
Baxley	DiCeglie	Perry
Boyd	Grall	Rodriguez
Bradley	Gruters	Simon
Brodeur	Harrell	Trumbull
Broxson	Hooper	Wright
Burgess	Hutson	Yarborough

Vote after roll call:

Nay to Yea—Simon

Pursuant to Rule 4.19, **CS for HB 543** was placed on the calendar of Bills on Third Reading.

MOTIONS

On motion by Senator Mayfield, the time of adjournment was extended until completion of the Special Order Calendar, Bills on Third Reading, Returning Messages, announcements, and motions.

SB 152—A bill to be entitled An act relating to public records; amending s. 1002.42, F.S.; providing a public records exemption for information pertaining to a safe-school officer at a private school; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title.

Pending further consideration of **SB 152**, pursuant to Rule 3.11(3), there being no objection, **HB 7025** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Collins—

HB 7025—A bill to be entitled An act relating to public records; amending s. 1002.42, F.S.; providing a public records exemption for information pertaining to a safe-school officer at a private school; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—a companion measure, was substituted for **SB 152** and read the second time by title.

Pursuant to Rule 4.19, **HB 7025** was placed on the calendar of Bills on Third Reading.

CS for SB 164—A bill to be entitled An act relating to controlled substance testing; amending s. 893.145, F.S.; revising the definition of the term “drug paraphernalia” to exclude certain narcotic-drug-testing products; providing an effective date.

—was read the second time by title.

Senator Polsky moved the following amendment which was adopted:

Amendment 1 (213334) (with title amendment)—Delete lines 27-30 and insert:

narcotic-drug-testing products that are used solely to determine whether a controlled substance contains fentanyl as described in s. 893.03(2)(b)9. or any other controlled substance specified in s. 893.135(1)(c)4.a. This exclusion does not apply to a narcotic-drug-testing product that can measure or determine the quantity, weight, or potency of a controlled substance.

And the title is amended as follows:

Delete line 5 and insert: narcotic-drug-testing products used for a specified purpose; providing applicability; providing an effective

On motion by Senator Polsky, by two-thirds vote, **CS for SB 164**, as amended, was read the third time by title, passed, ordered engrossed, and then certified to the House. The vote on passage was:

Yeas—39

Madam President	Collins	Perry
Albritton	Davis	Pizzo
Avila	DiCeglie	Polsky
Baxley	Garcia	Powell
Berman	Gruters	Rodriguez
Book	Harrell	Rouson
Boyd	Hooper	Simon
Bradley	Hutson	Stewart
Brodeur	Ingoglia	Thompson
Broxson	Jones	Torres
Burgess	Martin	Trumbull
Burton	Mayfield	Wright
Calatayud	Osgood	Yarborough

Nays—None

On motion by Senator Ingoglia—

CS for CS for SB 450—A bill to be entitled An act relating to the death penalty; amending ss. 921.141 and 921.142, F.S.; requiring a determination of a specified number of jurors, rather than jury unanimity, for a sentencing recommendation of death to the court; requiring a determination of a specified number of jurors, rather than jury unanimity, for a sentencing recommendation of life imprisonment without the possibility of parole to the court; requiring the court to impose the recommended sentence of life imprisonment without the possibility of parole if fewer than eight jurors recommend a sentence of death; authorizing the court to impose a sentence of life imprisonment without the possibility of parole or a sentence of death if at least eight jurors recommend a sentence of death; specifying that the court may impose a sentence of death only if the jury unanimously finds at least one aggravating factor beyond a reasonable doubt; requiring the court to include in its written order the reasons for not accepting the jury's recommended sentence, if applicable; providing an effective date.

—was read the second time by title.

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

Senator Powell moved the following amendment which failed:

Amendment 1 (349120) (with title amendment)—Delete lines 55-140 and insert:

(c) ~~If at least 10 jurors determine a unanimous jury determines that the defendant should be sentenced to death, the jury's recommendation to the court must shall be a sentence of death. If fewer than 10 jurors a unanimous jury does not determine that the defendant should be sentenced to death, the jury's recommendation to the court must shall be a sentence of life imprisonment without the possibility of parole.~~

(3) IMPOSITION OF SENTENCE OF LIFE IMPRISONMENT OR DEATH.—

(a) If the jury has recommended a sentence of:

1. Life imprisonment without the possibility of parole, the court shall impose the recommended sentence of life.

2. Death, and at least 10 jurors recommend a sentence of death, the court, after considering each aggravating factor found by the jury and all mitigating circumstances, may impose a sentence of life imprisonment without the possibility of parole or a sentence of death. The court may consider only an aggravating factor that was unanimously found to exist by the jury. *The court may impose a sentence of death only if the jury unanimously finds at least one aggravating factor beyond a reasonable doubt.*

(b) If the defendant waived his or her right to a sentencing proceeding by a jury, the court, after considering all aggravating factors and mitigating circumstances, may impose a sentence of life imprisonment without the possibility of parole or a sentence of death. The court may impose a sentence of death only if the court finds that at least one aggravating factor has been proven to exist beyond a reasonable doubt.

(4) ORDER OF THE COURT IN SUPPORT OF SENTENCE OF LIFE IMPRISONMENT OR DEATH.—In each case in which the court imposes a sentence of life imprisonment without the possibility of parole or death, the court shall, considering the records of the trial and the sentencing proceedings, enter a written order addressing the aggravating factors set forth in subsection (6) found to exist, the mitigating circumstances in subsection (7) reasonably established by the evidence, whether there are sufficient aggravating factors to warrant the death penalty, and whether the aggravating factors outweigh the mitigating circumstances reasonably established by the evidence. *The court must include in its written order the reasons for not accepting the jury's recommended sentence, if applicable.* If the court does not issue its order requiring the death sentence within 30 days after the rendition of the judgment and sentence, the court shall impose a sentence of life imprisonment without the possibility of parole in accordance with s. 775.082.

Section 2. Subsections (3), (4), and (5) of section 921.142, Florida Statutes, are amended to read:

921.142 Sentence of death or life imprisonment for capital drug trafficking felonies; further proceedings to determine sentence.—

(3) FINDINGS AND RECOMMENDED SENTENCE BY THE JURY.—This subsection applies only if the defendant has not waived his or her right to a sentencing proceeding by a jury.

(a) After hearing all of the evidence presented regarding aggravating factors and mitigating circumstances, the jury shall deliberate and determine if the state has proven, beyond a reasonable doubt, the existence of at least one aggravating factor set forth in subsection (7).

(b) The jury shall return findings identifying each aggravating factor found to exist. A finding that an aggravating factor exists must be unanimous. If the jury:

1. Does not unanimously find at least one aggravating factor, the defendant is ineligible for a sentence of death.

2. Unanimously finds at least one aggravating factor, the defendant is eligible for a sentence of death and the jury shall make a recommendation to the court as to whether the defendant shall be sentenced to life imprisonment without the possibility of parole or to death. The recommendation shall be based on a weighing of all of the following:

a. Whether sufficient aggravating factors exist.

b. Whether aggravating factors exist which outweigh the mitigating circumstances found to exist.

c. Based on the considerations in sub-subparagraphs a. and b., whether the defendant should be sentenced to life imprisonment without the possibility of parole or to death.

(c) ~~If at least 10 jurors determine a unanimous jury determines that the defendant should be sentenced to death, the jury's recommendation to the court must shall be a sentence of death. If fewer than 10 jurors a unanimous jury does not determine that the defendant should be sentenced to death, the jury's recommendation to the court must shall be a sentence of life imprisonment without the possibility of parole.~~

(4) IMPOSITION OF SENTENCE OF LIFE IMPRISONMENT OR DEATH.—

- (a) If the jury has recommended a sentence of:
 1. Life imprisonment without the possibility of parole, the court shall impose the recommended sentence *of life*.
 2. Death, *and at least 10 jurors recommend a sentence of*

And the title is amended as follows:

Delete lines 12-15 and insert: fewer than 10 jurors recommend a sentence of death; authorizing the court to impose a sentence of life imprisonment without the possibility of parole or a sentence of death if at least 10 jurors recommend a

Pursuant to Rule 4.19, **CS for CS for SB 450** was placed on the calendar of Bills on Third Reading.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 360, with 1 amendment (898697), and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for SB 360—A bill to be entitled An act relating to causes of action based on improvements to real property; amending s. 95.11, F.S.; revising the time in which an action founded on the design, planning, or construction of an improvement to real property must be commenced; revising the date on which the statute of limitations period begins; providing for the calculation of the statute of limitations period for multi-dwelling buildings; amending s. 553.84, F.S.; defining the term "material violation"; conforming provisions to changes made by the act; providing applicability; providing an effective date.

House Amendment 1 (898697)—Remove line 28 and insert: occupancy, or a certificate of completion, or the date of

On motion by Senator Hutson, the Senate concurred in **House Amendment 1 (898697)**.

CS for SB 360 passed, as amended, was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—31

Madam President	Collins	Perry
Albritton	DiCeglie	Powell
Avila	Garcia	Rodriguez
Baxley	Grall	Simon
Boyd	Gruters	Stewart
Bradley	Harrell	Torres
Brodeur	Hooper	Trumbull
Broxson	Hutson	Wright
Burgess	Ingoglia	Yarborough
Burton	Martin	
Calatayud	Mayfield	

Nays—7

Berman	Pizzo	Thompson
Book	Polsky	
Osgood	Rouson	

Vote after roll call:

Nay—Davis

MOTIONS

On motion by Senator Broxson, Senate Rule 7.1 was waived and the following deadlines were applied to **SB 2500** and **SB 2502**:

- The deadline for filing main amendments to **SB 2500** and **SB 2502** was set for 5:00 p.m., Thursday, March 30, 2023.
- The deadline for filing adhering amendments to **SB 2500** and **SB 2502** was set for 2:00 p.m., Friday, March 31, 2023.
- All amendments to the General Appropriations Bill must be balanced as explained.

BILLS ON SPECIAL ORDERS

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, March 29, 2023: SB 736, CS for CS for SB 154, CS for SB 150, SB 152, CS for SB 164, CS for CS for SB 450.

Respectfully submitted,
Debbie Mayfield, Rules Chair
Ben Albritton, Majority Leader
Lauren Book, Minority Leader

REPORTS OF COMMITTEES

The Committee on Community Affairs recommends the following pass: CS for SB 1034

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 1670

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

The Committee on Community Affairs recommends the following pass: SB 1052

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

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 1594

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

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 610

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

The Committee on Banking and Insurance recommends the following pass: CS for SB 600

The Committee on Community Affairs recommends the following pass: SB 10; SB 518; SB 556; CS for SB 980; SB 1082; SB 1268

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 552; SB 948; SB 7000; SB 7004; SB 7012; SB 7022

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

The Committee on Appropriations recommends the following pass: SB 244; CS for SB 478; SB 7018; SB 7028; SB 7030; SB 7032; SB 7034; SB 7036; SB 7038

The Committee on Fiscal Policy recommends the following pass: CS for SB 76; CS for CS for SB 284; SB 300; CS for CS for SB 306; SB 508; CS for SB 558

The bills were placed on the Calendar.

The Committee on Criminal Justice recommends a committee substitute for the following: SB 528

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

The Committee on Children, Families, and Elder Affairs recommends committee substitutes for the following: SB 1634; SB 1690

The Committee on Health Policy recommends committee substitutes for the following: SB 344; SB 612

The bills with committee substitute attached contained in the foregoing reports were referred to the Appropriations Committee on Health and Human Services under the original reference.

The Committee on Health Policy recommends a committee substitute for the following: SB 1596

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1510

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

The Committee on Health Policy recommends a committee substitute for the following: SB 454

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

The Committee on Health Policy recommends committee substitutes for the following: SB 1550; SB 1552

The bills with committee substitute attached were referred to the Committee on Fiscal Policy under the original reference.

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1292

The Committee on Criminal Justice recommends a committee substitute for the following: SB 496

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 Health Policy recommends a committee substitute for the following: SB 1506

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

The Committee on Fiscal Policy recommends a committee substitute for the following: CS for CS for SB 52

The bill with committee substitute attached was placed on the Calendar.

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 Administration Commission:

Office and Appointment

*For Term
Ending*

Director and Chief Judge, Division of Administrative Hearings

Appointee: Newman, Brian

Pleasure of
Admin
Commission

The Committee on Governmental Oversight and Accountability recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment

*For Term
Ending*

Secretary of Management Services

Appointee: Allende, Pedro M.

Pleasure of
Governor

Secretary of State

Appointee: Byrd, Cord

Pleasure of
Governor

The appointments were referred to the Committee on Ethics and Elections under the original reference.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Fiscal Policy; the Appropriations Committee on Education; the Committee on Education Pre-K -12; and Senators Burgess, Osgood, Avila, Calatayud, and Garcia—

CS for CS for CS for SB 52—A bill to be entitled An act relating to student use of social media platforms; amending s. 1003.42, F.S.; requiring members of the instructional staff of public schools to provide instruction on the social, emotional, and physical effects of social media to students in specified grades; specifying requirements for the instruction; requiring the Department of Education to make social media safety instructional material available online; requiring each district school board to notify parents of the availability of such material; authorizing the department to procure the instructional materials from a vendor or provider; amending s. 1006.07, F.S.; requiring that district school board codes of student conduct include a prohibition against students using wireless communications devices during instructional time and authorization for teachers to withhold a student's device, with an exception for use at the direction of the teacher; creating s. 1006.1494, F.S.; requiring each school district to prohibit and prevent students from accessing social media platforms through the use of Internet access provided by the school district; providing an exception; authorizing the State Board of Education to adopt rules; providing an effective date.

By the Committee on Health Policy; and Senator Brodeur—

CS for SB 344—A bill to be entitled An act relating to physician certifications for the medical use of marijuana; amending s. 381.986, F.S.; authorizing qualified physicians to perform patient examinations and evaluations through telehealth for renewals of physician certifica-

tions for the medical use of marijuana, subject to certain conditions; authorizing the Department of Health to suspend the registration of a qualified physician in the medical marijuana use registry for a specified timeframe for noncompliance with the act; providing an effective date.

By the Committee on Health Policy; and Senator Avila—

CS for SB 454—A bill to be entitled An act relating to physician assistant licensure; amending ss. 458.347 and 459.022, F.S.; revising requirements for an applicant for licensure as a physician assistant; providing an effective date.

By the Committee on Criminal Justice; and Senator Burgess—

CS for SB 496—A bill to be entitled An act relating to electronic monitoring of persons charged with or convicted of offenses involving schools or students; amending s. 907.041, F.S.; defining the term “school”; requiring a court to consider electronic monitoring and location restrictions as conditions of pretrial release for persons charged with certain offenses against schools or students; creating s. 948.301, F.S.; defining the term “school”; requiring a court to consider electronic monitoring and location restrictions as conditions of probation or community control for persons charged with certain offenses against schools or students; amending s. 790.065, F.S.; conforming a cross-reference; providing an effective date.

By the Committee on Criminal Justice; and Senators Davis and Book—

CS for SB 528—A bill to be entitled An act relating to custody and supervision of specified offenders; amending s. 794.011, F.S.; excluding certain offenders from eligibility to receive basic gain-time; amending s. 944.275, F.S.; excluding certain offenders from eligibility to receive incentive gain-time; amending s. 948.05, F.S.; excluding certain offenders from eligibility for specified reductions to a term of supervision; amending s. 948.30, F.S.; requiring a court to impose additional conditions of supervision on specified offenders; providing an effective date.

By the Committee on Health Policy; and Senators Yarborough, Gruters, Davis, Book, and Osgood—

CS for SB 612—A bill to be entitled An act relating to the blood clot and pulmonary embolism policy workgroup; providing a short title; creating s. 408.0621, F.S.; requiring the Secretary of Health Care Administration, in conjunction with the State Surgeon General, to establish a blood clot and pulmonary embolism policy workgroup; providing for the duties, membership, and meetings of the workgroup; requiring the secretary to submit annual reports to the Governor and the Legislature; requiring the secretary to submit a final report to the Governor and the Legislature by a specified date; providing an effective date.

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

CS for SB 1292—A bill to be entitled An act relating to parenting plans; amending s. 61.13, F.S.; creating a presumption that equal time-sharing is in the best interests of the child, with exceptions; creating a presumption for purposes of modifying a parenting plan and time-sharing schedule regarding relocation of a parent; establishing the manner in which to rebut such presumption; providing an effective date.

By the Committee on Health Policy; and Senator Rodriguez—

CS for SB 1506—A bill to be entitled An act relating to the Department of Health; creating s. 381.875, F.S.; defining terms; prohibiting certain research in this state relating to enhanced potential pandemic pathogens; requiring researchers applying for state or local funding to disclose certain information; requiring the Department of Health to enjoin violations of specified provisions; providing construction; amending s. 381.986, F.S.; defining the term “attractive to children”; prohibiting medical marijuana treatment centers from producing marijuana products that are attractive to children or manufactured in

specified manners; prohibiting marijuana packaging and labeling from including specified wording; prohibiting medical marijuana treatment centers from using certain content in their advertising which is attractive to children or promotes the recreational use of marijuana; requiring the department to adopt certain rules; revising background screening requirements for certain individuals; amending s. 381.988, F.S.; requiring medical marijuana testing laboratories to subject their employees to background screenings; revising background screening requirements for certain individuals; amending s. 382.005, F.S.; requiring local registrars to electronically file all live birth, death, and fetal death records in their respective jurisdictions in the department’s electronic registration system; requiring the local registrars to file a paper record with the department if the electronic system is unavailable; requiring local registrars to make blank paper forms available in such instances; providing requirements for such paper records; amending s. 382.008, F.S.; conforming provisions to changes made by the act; amending s. 382.009, F.S.; revising the types of health care practitioners who may make certain determinations of death; amending ss. 382.013 and 382.015, F.S.; conforming provisions to changes made by the act; amending ss. 382.021 and 382.023, F.S.; revising the frequency with which circuit courts must transmit marriage licenses and certain dissolution-of-marriage records to the department; requiring that such records be transmitted electronically; amending s. 382.025, F.S.; extending the timeframe for the confidentiality of certain birth records; authorizing persons appointed by the department to issue certified copies of live birth, death, and fetal death certificates; amending s. 401.27, F.S.; revising requirements for applicants for certification or recertification as emergency medical technicians or paramedics; deleting a requirement that a certain certification examination be offered monthly; deleting related duties of the department; deleting a temporary certificate and related provisions; amending s. 401.2701, F.S.; exempting certain emergency medical services training program applicants from the requirement to have a certain affiliation agreement; amending s. 401.272, F.S.; revising the purpose of certain provisions; specifying requirements for the provision of specified services by paramedics and emergency medical technicians under certain circumstances; revising the department’s rulemaking authority; amending s. 401.34, F.S.; deleting certain provisions and fees related to the department’s grading of a certain certification examination; amending s. 401.435, F.S.; revising provisions related to minimum standards for emergency medical responder training; amending s. 464.203, F.S.; exempting certain applicants for certification as a certified nursing assistant from the skills-demonstration portion of a certain competency examination; amending s. 468.1115, F.S.; providing construction and applicability; conforming a cross-reference; reordering and amending s. 468.1125, F.S.; providing and revising definitions; amending ss. 468.1225 and 468.1245, F.S.; revising the scope of practice for audiologists as it relates to hearing aids to apply to prescription hearing aids only; requiring that hearing aids provided to persons younger than 18 years of age be prescription hearing aids and not over-the-counter hearing aids; amending s. 468.1246, F.S.; conforming provisions to changes made by the act; deleting obsolete language; amending ss. 468.1255, 468.1265, and 468.1275, F.S.; conforming provisions to changes made by the act; amending s. 484.0401, F.S.; revising legislative findings and intent to conform to changes made by the act; reordering and amending s. 484.041, F.S.; providing and revising definitions; amending s. 484.042, F.S.; revising membership requirements for members of the Board of Hearing Aid Specialists; amending s. 484.044, F.S.; revising the board’s rulemaking authority; deleting obsolete language; amending ss. 484.0445, 484.045, 484.0501, and 484.051, F.S.; revising the scope of practice for hearing aid specialists and making conforming changes to licensure and practice requirements; amending s. 484.0512, F.S.; conforming provisions to changes made by the act; deleting obsolete language; amending ss. 484.0513, 484.053, and 484.054, F.S.; conforming provisions to changes made by the act; amending s. 484.059, F.S.; conforming provisions to changes made by the act; providing applicability; amending s. 1002.394, F.S.; conforming a cross-reference; providing a directive to the Division of Law Revision; providing effective dates.

By the Committee on Criminal Justice; and Senator Pizzo—

CS for SB 1510—A bill to be entitled An act relating to visiting county and municipal detention facilities; creating s. 951.225, F.S.;

authorizing specified persons to visit at their pleasure county and municipal detention facilities; providing an effective date.

By the Committee on Health Policy; and Senators Brodeur, Rodriguez, Wright, and Perry—

CS for SB 1550—A bill to be entitled An act relating to prescription drugs; providing a short title; amending s. 499.005, F.S.; specifying additional prohibited acts related to the Florida Drug and Cosmetic Act; amending s. 499.012, F.S.; providing that prescription drug manufacturer and nonresident prescription drug manufacturer permitholders are subject to specified requirements; creating s. 499.026, F.S.; defining terms; requiring certain drug manufacturers to notify the Department of Business and Professional Regulation of reportable drug price increases on a specified form on the effective date of such increase; providing requirements for the form; providing construction; requiring such manufacturers to submit certain reports to the department by a specified date each year; providing requirements for the reports; authorizing the department to request certain additional information from the manufacturer before approving the report; requiring the department to submit the forms and reports to the Agency for Health Care Administration to be posted on the agency's website; prohibiting the agency from posting on its website certain submitted information that is marked as a trade secret; requiring the agency to compile all information from the submitted forms and reports and make it available to the Governor and the Legislature upon request; prohibiting manufacturers from claiming a public records exemption for trade secrets for certain information provided in such forms or reports; providing that department employees remain protected from liability for releasing the forms and reports as public records; authorizing the department, in consultation with the agency, to adopt rules; providing for emergency rulemaking; amending s. 624.307, F.S.; requiring the Division of Consumer Services of the Department of Financial Services to designate an employee as the primary contact for consumer complaints involving pharmacy benefit managers; requiring the division to refer certain complaints to the Office of Insurance Regulation; amending s. 624.490, F.S.; revising the definition of the term "pharmacy benefit manager"; amending s. 624.491, F.S.; revising provisions related to pharmacy audits; amending s. 626.88, F.S.; revising the definition of the term "administrator"; defining the term "pharmacy benefit manager"; amending s. 626.8805, F.S.; providing a grandfathering provision for certain pharmacy benefit managers operating as administrators; providing a penalty for certain persons who do not hold a certificate of authority to act as an administrator on or after a specified date; providing additional requirements for pharmacy benefit managers applying for a certificate of authority to act as an administrator; exempting pharmacy benefit managers from certain fees; amending s. 626.8814, F.S.; requiring pharmacy benefit managers to identify certain ownership affiliations to the office; requiring pharmacy benefit managers to report any change in such information to the office within a specified timeframe; creating s. 626.8825, F.S.; defining terms; providing requirements for certain contracts between a pharmacy benefit manager and a pharmacy benefits plan or program or a participating pharmacy; specifying requirements for certain administrative appeal procedures that such contracts with participating pharmacies must include; requiring pharmacy benefit managers to submit reports on submitted appeals to the office every 90 days; creating s. 626.8827, F.S.; specifying prohibited practices for pharmacy benefit managers; creating s. 626.8828, F.S.; authorizing the office to investigate administrators that are pharmacy benefit managers and certain applicants; requiring the office to review certain referrals and investigate them under certain circumstances; providing for biennial reviews of pharmacy benefit managers; authorizing the office to conduct additional examinations; requiring the office to conduct an examination under certain circumstances; providing procedures and requirements for such examinations; defining the terms "contracts" and "knowing and willful"; providing that independent professional examiners under contract with the office may conduct examinations of pharmacy benefit managers; requiring the Financial Services Commission to adopt specified rules; specifying provisions that apply to such investigations and examinations; providing recordkeeping requirements for pharmacy benefit managers; authorizing the office to order the production of such records and other specified information; authorizing the office to take statements under oath; requiring pharmacy benefit managers and applicants subjected to an investigation or examination to pay the associated expenses; specifying covered expenses; providing for collection of such expenses; pro-

viding for the deposit of certain moneys into the Insurance Regulatory Trust Fund; authorizing the office to pay examiners, investigators, and other persons from such fund; providing administrative penalties; providing grounds for administrative action against a certificate of authority; amending s. 626.89, F.S.; requiring pharmacy benefit managers to notify the office of specified complaints, settlements, or discipline within a specified timeframe; requiring pharmacy benefit managers to annually submit a certain attestation statement to the office; amending s. 627.42393, F.S.; providing that certain step-therapy protocol requirements apply to a pharmacy benefit manager acting on behalf of a health insurer; amending ss. 627.64741 and 627.6572, F.S.; conforming provisions to changes made by the act; amending s. 641.31, F.S.; providing that certain step-therapy protocol requirements apply to a pharmacy benefit manager acting on behalf of a health maintenance organization; amending s. 641.314, F.S.; conforming a provision to changes made by the act; providing legislative intent, construction, and severability; providing appropriations and authorizing positions; providing an effective date.

By the Committee on Health Policy; and Senator Brodeur—

CS for SB 1552—A bill to be entitled An act relating to public records; amending s. 624.319, F.S.; providing an exemption from public records requirements for examination and investigation reports and work papers relating to pharmacy benefit managers; providing for future legislative review and repeal of the exemption; reenacting and amending s. 626.884, F.S.; expanding a public records exemption for the books and records of administrators held by the Office of Insurance Regulation for purposes of examination, audit, and inspection to incorporate the inclusion of pharmacy benefit managers as administrators under the Florida Insurance Code; providing for future legislative review and repeal of the exemption; providing statements of public necessity; providing a contingent effective date.

By the Committee on Health Policy; and Senator Garcia—

CS for SB 1596—A bill to be entitled An act relating to provider accountability; amending s. 400.022, F.S.; revising the rights of residents of nursing home facilities; amending s. 408.809, F.S.; providing additional disqualifying offenses for purposes of background screening of employees of certain health care providers; amending s. 408.812, F.S.; creating a cause of action for ex parte injunctive relief against continued unlicensed activity relating to health care provider facilities; authorizing the Agency for Health Care Administration to petition the court for such injunctive relief; providing requirements for the petition; prohibiting courts from requiring bond in such proceedings; limiting the types of evidence that may be presented in such proceedings; providing that a denial of such injunctive relief must be by written order of the court noting the legal grounds for the denial; providing construction; providing for ex parte temporary injunctive relief under certain circumstances; requiring that temporary injunctions be effective for a fixed period not exceeding 30 days; requiring the agency to conduct an inspection of the identified premises of unlicensed activity within a specified timeframe after such temporary injunction is issued; requiring the agency to dismiss its petition if the respondent complies with the injunction; providing for a permanent injunction within a specified timeframe if the unlicensed activity continues; requiring that a full hearing be set as soon as practicable thereafter; authorizing the agency to move for an extension of the injunction until disposition of the proceedings; providing for service of an ex parte injunction; providing construction; authorizing the agency to provide any inspection records to local law enforcement agencies and state attorney offices upon request and without redaction; amending s. 435.04, F.S.; providing additional disqualifying offenses for employment background screening requirements; amending ss. 458.328 and 459.0138, F.S.; requiring that a physician's office seeking registration to perform office surgeries must be inspected by the Department of Health before it may be registered; providing for immediate suspension of a registration under specified circumstances; providing construction; requiring physicians performing gluteal fat grafting procedures in an office surgery setting to adhere to specified standards of practice; authorizing the Board of Medicine and the Board of Osteopathic Medicine, respectively, to adopt certain rules; providing an effective date.

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

CS for SB 1634—A bill to be entitled An act relating to child welfare; amending s. 39.202, F.S.; clarifying a provision regarding access to certain records in the event of the death of a child as a result of abuse, abandonment, or neglect; making technical changes; amending s. 39.4092, F.S.; revising provisions to refer to a multidisciplinary legal representation program rather than a model; revising requirements for an office of criminal conflict and civil regional counsel's multidisciplinary legal representation program; requiring each office of criminal conflict and civil regional counsel to annually submit certain data to the Office of Program Policy Analysis and Government Accountability (OPPAGA) by a specified date; deleting a requirement that each office of criminal conflict and civil regional counsel submit a certain report; requiring the OPPAGA to compile certain data and conduct a certain analysis; revising the date the OPPAGA must annually report its analysis; creating s. 39.5035, F.S.; authorizing certain persons to initiate a proceeding by filing a petition for adjudication and permanent commitment if both parents of a child are deceased or the last known living parent dies; requiring that such petition be filed at a specified time under certain circumstances; authorizing certain persons to file a petition for permanent commitment if both parents die or the last known living parent dies after a child has been adjudicated dependent; specifying a timeframe for filing such petition; specifying requirements for such petitions; requiring the clerk of the court to set the case for hearing within a specified timeframe after a petition for adjudication and permanent commitment or a petition for permanent commitment is filed; requiring that a certain notice of the hearing and a copy of the petition be served on certain persons; specifying procedures for the adjudicatory hearing on the petitions; requiring the court to make a specified determination after an adjudicatory hearing; requiring that a disposition hearing be set within a certain timeframe; requiring the Department of Children and Families to provide a certain amended case plan; requiring the department to make certain reasonable efforts regarding the case plan; requiring the court to hold a hearing within a certain timeframe after a petition is filed; specifying that a certified copy of the death certificate is sufficient evidence of a parent's death; requiring the court to make a certain determination within a specified timeframe after an adjudicatory hearing on certain petitions; providing construction; amending s. 39.522, F.S.; authorizing certain persons to remove a child from a court-ordered placement under certain circumstances; requiring the department to file a motion within a certain timeframe to modify placement following such removals; requiring the court to set a hearing on the motion within a specified timeframe under certain circumstances; requiring the court to make a specified determination at the hearing; authorizing the court to base its determination on certain evidence and to hear all relevant and material evidence; requiring the court to enter certain orders under certain circumstances; requiring a placement meet certain home study criteria; requiring the court to conduct a hearing under certain circumstances; amending s. 39.6013, F.S.; authorizing a case plan to be amended at any hearing based upon certain evidence; requiring the department to provide reasonable efforts if the court changes the permanency goal of the case; conforming provisions to changes made by the act; amending s. 39.6221, F.S.; revising conditions for a child's placement in a permanent guardianship; amending s. 39.6251, F.S.; specifying that certain young adults in a Department of Juvenile Justice detention center or commitment program are deemed to have met a certain licensed placement eligibility requirement; specifying that the department's supervision for such young adults is limited to providing certain services; amending s. 39.701, F.S.; revising the required determinations at judicial review hearings for children younger than 18 years of age; amending s. 39.801, F.S.; authorizing certain notice to be waived under certain circumstances; amending s. 39.812, F.S.; revising the court's authorization to review certain information after custody of a child for subsequent adoption has been given to the department; providing procedures if the department denies an application to adopt; revising the circumstances that must apply for the department to remove a child from a foster home or custodian after a denial of an application to adopt; conforming provisions to changes made by the act; amending s. 63.062, F.S.; conforming a provision to changes made by the act; amending s. 409.1454, F.S.; revising eligibility criteria for a child to participate in a specified program covering certain costs for a driver license and motor vehicle insurance; amending s. 409.167, F.S.; revising the purpose and requirements of the statewide adoption exchange; specifying requirements of the photo listing component of the adoption exchange; re-

quiring the department or lead agency to refer certain children to the adoption exchange; deleting the requirement that the referral be accompanied by a photograph and description of the child; deleting the requirement that the department provide certain information to the adoption exchange for children accepted for permanent placement by the department; deleting a requirement that the adoption exchange provide a certain service to certain groups, organizations, and associations; requiring that certain children be registered with existing regional and national adoption exchanges under a specified condition; amending s. 409.1678, F.S.; revising the required services that safe houses and safe foster homes must provide, arrange for, or coordinate; conforming a provision to changes made by the act; requiring the department, in collaboration with the Florida Digital Service, to provide a confidential web-based portal for safe house operators and foster parents for safe foster homes; specifying the requirements for such portal; requiring service providers to bill Medicaid, contract with local school districts, or obtain federal and local funding for services rendered to victims of commercial sexual exploitation whenever possible; amending s. 409.175, F.S.; revising the timeframe for which a family foster home license is valid; increasing the timeframe for which the department may extend a license expiration date; making a technical change; revising requirements for inservice training for foster parents and agency staff related to human trafficking; amending s. 409.1754, F.S.; requiring the Department of Children and Families, in collaboration with other entities, to implement certain recommendations and develop a certain tool and algorithm by a specified date; requiring that the screening and assessment instruments be validated by a specified date, if possible; requiring the department and the Department of Juvenile Justice to use the previously validated screening and assessment instruments and indicator tool under certain circumstances; requiring the department and each community-based care lead agency to prepare a certain service capacity assessment and development plan by a specified date and triennially thereafter; specifying the requirements of such plan; authorizing the department to provide training to certain local law enforcement officials; defining the term "survivor peer mentor"; providing legislative findings; requiring certain service providers and certain operators to collaborate with local providers to ensure survivor peer mentors are regularly accessible to certain children; requiring survivor peer mentors to undergo certain training; amending s. 409.988, F.S.; requiring that all individuals providing care for dependent children be provided contact information for a certain foster-family support program; amending s. 409.996, F.S.; requiring the department's contracts with lead agencies to require the lead agency to provide a certain foster-family support group; requiring certain governmental entities to create a workgroup for a specified purpose relating to commercial sexual exploitation; requiring the Agency for Health Care Administration to modify state Medicaid plans and implement federal waivers necessary to implement the act; requiring the workgroup to draft a certain plan and submit a certain report to the Legislature by a specified date; requiring the Florida Institute for Child Welfare to validate the current screening and assessment instruments by a certain date and for the institute to complete the validation within its base appropriation; providing effective dates.

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

CS for SB 1690—A bill to be entitled An act relating to sexual exploitation and human trafficking; amending s. 394.875, F.S.; requiring residential treatment centers for children and adolescents to place specified signage; requiring the Department of Children and Families, in consultation with the Agency for Health Care Administration, to adopt rules; amending s. 787.29, F.S.; making technical changes; creating s. 402.88, F.S.; defining terms; requiring the department to develop a process to certify adult safe houses that provide housing and care to adult survivors of human trafficking; providing certification requirements; authorizing rulemaking; requiring the department to inspect adult safe houses before certification and annually thereafter; requiring the department to ensure the staff of each adult safe house completes specified intensive training; providing for department actions for noncompliance; amending s. 409.1678, F.S.; providing requirements for safe houses and safe foster homes; requiring the department to develop or approve educational programming on commercial sexual exploitation; amending s. 409.175, F.S.; requiring specified signage to be placed on the premises of facilities maintained by licensed child-caring

agencies; requiring the department to adopt rules; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Criminal Justice; and Senator Burgess—

CS for SB 496—A bill to be entitled An act relating to electronic monitoring of persons charged with or convicted of offenses involving schools or students; amending s. 907.041, F.S.; defining the term “school”; requiring a court to consider electronic monitoring and location restrictions as conditions of pretrial release for persons charged with certain offenses against schools or students; creating s. 948.301, F.S.; defining the term “school”; requiring a court to consider electronic monitoring and location restrictions as conditions of probation or community control for persons charged with certain offenses against schools or students; amending s. 790.065, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Appropriations Committee on Criminal and Civil Justice; and the Committee on Rules.

By the Committee on Criminal Justice; and Senators Calatayud, Perry, Gruters, Rodriguez, and Avila—

CS for SB 994—A bill to be entitled An act relating to public nuisances; amending s. 403.413, F.S.; prohibiting a person from intentionally dumping onto private property litter that evidences religious or ethnic animus toward an owner or invitee of such property; defining the term “animus”; providing criminal penalties; requiring that certain violations be reported pursuant to specified provisions; creating s. 784.0493, F.S.; defining the term “harass”; prohibiting a person from willfully and maliciously harassing, threatening, or intimidating another person based on the person’s wearing or displaying of any indicia relating to any religious or ethnic heritage; providing criminal penalties; requiring that certain violations be reported pursuant to specified provisions; amending s. 806.13, F.S.; prohibiting willful and malicious defacement, injury, or damage to certain property; providing criminal penalties; removing a minimum damage requirement for a violation; requiring that certain violations be reported pursuant to specified provisions; defining the term “school”; prohibiting the knowing and intentional display or projection of certain images onto a building, structure, or property without permission; defining the term “image”; providing criminal penalties; providing construction; defining the term “animus”; requiring that certain violations be reported pursuant to specified provisions; creating s. 810.098, F.S.; prohibiting a person who willfully enters the campus of a state university or Florida College System institution for the purpose of threatening or intimidating another person from remaining on such campus after being warned to depart; providing criminal penalties; providing construction; requiring that certain violations be reported pursuant to specified provisions; defining terms; amending s. 871.01, F.S.; prohibiting the willful and malicious interruption or disruption of certain assemblies; providing criminal penalties; providing construction; defining the term “animus”; requiring that certain violations be reported pursuant to specified provisions; providing an effective date.

—was referred to the Appropriations Committee on Criminal and Civil Justice; and the Committee on Rules.

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

CS for SB 1292—A bill to be entitled An act relating to parenting plans; amending s. 61.13, F.S.; creating a presumption that equal time-sharing is in the best interests of the child, with exceptions; creating a presumption for purposes of modifying a parenting plan and time-sharing schedule regarding relocation of a parent; establishing the manner in which to rebut such presumption; providing an effective date.

—was referred to the Committee on Rules.

By the Committee on Criminal Justice; and Senator Pizzo—

CS for SB 1510—A bill to be entitled An act relating to visiting county and municipal detention facilities; creating s. 951.225, F.S.; authorizing specified persons to visit at their pleasure county and municipal detention facilities; providing an effective date.

—was referred to the Committee on Rules.

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

CS for SB 1686—A bill to be entitled An act relating to the designation of Brevard Barrier Island Area as an area of critical state concern; creating s. 380.0553, F.S.; providing a short title; providing legislative findings and intent; designating the Brevard Barrier Island Area as an area of critical state concern; providing guiding principles for development within the area; providing for removal of the designation; providing an effective date.

—was referred to the Committee on Rules.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State **CS for SB 102** which he approved on March 29, 2023.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of March 23 and March 28 were corrected and approved.

CO-INTRODUCERS

Senators Albritton—SB 1670; Collins—SB 7020, SB 7022

ADJOURNMENT

On motion by Senator Mayfield, the Senate adjourned at 7:18 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 1:30 p.m., Thursday, March 30 or upon call of the President.