



# Journal of the Senate

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## CALL TO ORDER

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

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

Excused: Senator Yarborough

## PRAYER

The following prayer was offered by Rabbi Greg Weisman, Temple Beth El, Boca Raton:

Holy One of Blessing, as the Florida Senate is gavelled back into session, we call upon you to ask your favor and blessing for this Senate, its members, officers, leadership, and staff. You, source of all, have bestowed us with so many gifts. We offer our thanks, praying we can use those gifts for the highest of purposes. We pray the wisdom you have instilled in each of your creations will emanate from their debate and their actions today rendering decisions for the good of the state. We pray the insight with which you have blessed us will help us to realize that we have much in common—that the Senate will work in the spirit of collegiality and common purpose for the good of the people of our state.

Today is an auspicious day on the calendar as we mark Yom Ha-Shoah—the day of remembrance of the victims of the Holocaust. We recall the horrific crimes against humanity perpetuated by the Nazi regime. We restate the holiness of each human being. On this day, we offer our gratitude for the ultimate triumph of our nation's armed forces in preserving and expanding our commitment to democracy as a way of life. This day was chosen because as the anniversary of the Warsaw Ghetto Uprising, in 1943, when those who were victims of radical discrimination and oppression stood up for themselves, their rights, and their humanity. We remember them and valorize their bravery knowing it was because of the absence of a government, of and by the people, that helped allow those travesties to occur.

Inspired by the bravery of those who chose to stand up for the good, we ask for the blessings for this and all of our democratic institutions to protect the freedoms of all. As you hold each of us in the palm of your hand, may those of us entrusted with care and concern for others in our community be inspired by your care for us. May the words and actions of this Senate today continue to fulfill our state's and our nation's finest purposes of freedom and democracy, the pursuit of happiness, and liberty and justice for all. May this be your will. Amen.

## PLEDGE

Senate Pages, Ciara Bernard of Tallahassee; Aria Brown of Jacksonville; and Dillon Kornegay of Tallahassee, 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. Michael Cromer of Tampa, sponsored by Senator Collins, as the doctor of the day. Dr. Cromer specializes in family medicine.

## SPECIAL RECOGNITION

Senator Gruters recognized his wife, Sydney, who was present in the gallery.

Senator Hooper recognized his wife, Lee, who was present in the gallery and celebrating her birthday this day.

Senator Martin recognized his wife, Amy, who was present in the gallery.

## SPECIAL ORDER CALENDAR

### SENATOR BAXLEY PRESIDING

Consideration of **SB 7000** was deferred.

**SB 7004**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 373.089, F.S., which provides an exemption from public records requirements for written valuations of surplus lands, documents used to form or pertaining to such a valuation, and written offers to purchase surplus land held by a water management district; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 7004**, pursuant to Rule 3.11(3), there being no objection, **HB 7003** was withdrawn from the Committee on Rules.

On motion by Senator Rodriguez—

**HB 7003**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 373.089, F.S., which provides an exemption from public record requirements for valuations, certain related records, and sales offers for sales related to surplus lands; removing the scheduled repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **SB 7004** and read the second time by title.

On motion by Senator Rodriguez, by two-thirds vote, **HB 7003** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Madam President

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**SB 7012**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public records requirements for the address of a victim of an incident of mass violence; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 7012**, pursuant to Rule 3.11(3), there being no objection, **HB 7031** was withdrawn from the Committee on Rules.

On motion by Senator Martin—

**HB 7031**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public records requirements for the address of a victim of an incident of mass violence; removing the scheduled repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **SB 7012** and read the second time by title.

On motion by Senator Martin, by two-thirds vote, **HB 7031** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Madam President

**CS for SB 7020**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 943.082, F.S.; expanding exemptions from public records requirements for the identity of a reporting party and any information received through the mobile suspicious activity reporting tool to include such information held by the Department of Education; providing for retroactivity of the exemption; providing for future legislative review and repeal; providing statements of public necessity; providing an effective date.

—was read the second time by title. On motion by Senator Collins, by two-thirds vote, **CS for SB 7020** was read the third time by title, passed by the required constitutional two-thirds vote of the members present and voting, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Madam President

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**SB 7022**—A bill to be entitled An act relating to the Open Government Sunset Review Act; amending s. 943.687, F.S., which provides an exemption from public meetings requirements for any portion of a meeting of the Marjory Stoneman Douglas High School Safety Commission at which exempt or confidential and exempt information is discussed; removing the scheduled repeal of the exemption; amending s. 1006.12, F.S., relating to an exemption from public records requirements for information held by specified entities which could identify a safe-school officer; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title. On motion by Senator Collins, by two-thirds vote, **SB 7022** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Madam President

**SB 10**—A bill to be entitled An act for the relief of Kristin A. Stewart by Sarasota County; providing an appropriation to compensate her for injuries sustained as a result of the negligence of an employee of Sarasota County; providing legislative intent regarding the waiver of certain liens; providing limitations on compensation and the payment of attorney fees, lobbying fees, and costs or other similar expenses; providing an effective date.

—was read the second time by title. On motion by Senator Gruters, by two-thirds vote, **SB 10** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

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

Nays—1

Perry

Vote after roll call:

Yea—Madam President

**CS for CS for SB 538**—A bill to be entitled An act relating to provisional child care licensing; amending s. 402.309, F.S.; requiring a local licensing agency or the Department of Children and Families, as applicable, to issue a provisional license or registration for a family day care home under certain circumstances; providing an effective date.

—was read the second time by title. On motion by Senator Trumbull, by two-thirds vote, **CS for CS for SB 538** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Madam President, Simon

**CS for SB 598**—A bill to be entitled An act relating to higher educational facilities financing; amending s. 243.51, F.S.; modifying legislative findings and declarations regarding the Higher Education Facilities Financing Act; amending s. 243.53, F.S.; specifying when the

term for a new appointee to the Higher Educational Facilities Financing Authority begins; defining the term “communications media technology”; revising a requirement for when action may be taken by the authority; authorizing the authority to conduct meetings and workshops by means of communications media technology; providing notice requirements for meetings and workshops; amending s. 243.54, F.S.; authorizing the authority to contract with an entity to assist with administrative matters; amending s. 243.58, F.S.; prohibiting the authority from entering into a financing agreement with a participating institution for a project if at the time the agreement is executed certain conditions exist; amending s. 243.73, F.S.; revising the timeframe within which the authority is required to submit a report to the Governor and the Legislature; providing an effective date.

—was read the second time by title. On motion by Senator Martin, by two-thirds vote, **CS for SB 598** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Madam President

On motion by Senator Gruters—

**CS for SB 1416**—A bill to be entitled An act relating to dissolution of marriage; amending s. 61.08, F.S.; making technical changes; authorizing the court to consider the adultery of either spouse and any resulting economic impact in determining the amount of alimony awarded; requiring the court to make certain written findings in its awards of alimony; authorizing the court to award a combination of forms of alimony or forms of payment for certain purposes; providing a burden of proof for the party seeking support, maintenance, or alimony; requiring the court to make written findings under certain circumstances; revising factors that the court must consider in determining the form or forms of support, maintenance, or alimony; requiring the court to make specific findings regarding the purchase or maintenance of a life insurance policy or a bond to secure alimony; authorizing the court to apportion costs of such policies or bonds; modifying certain rebuttable presumptions related to the duration of a marriage for purposes of determining alimony; prohibiting the length of an award of rehabilitative alimony from exceeding a specified timeframe; revising a provision authorizing the modification of rehabilitative alimony upon completion of the rehabilitative plan; revising provisions related to durational alimony; prohibiting the length of an award of durational alimony from exceeding specified timeframes; authorizing the court to extend durational alimony under certain circumstances; specifying the calculation of durational alimony; removing a provision authorizing the court to award permanent alimony; providing applicability; amending s. 61.13, F.S.; removing the unanticipated change of circumstances requirement regarding modifying a parenting plan and time-sharing schedule; authorizing the court to consider a certain relocation of a parent as a substantial and material change for the purpose of a modification to the time-sharing schedule, subject to a certain determination; amending s. 61.14, F.S.; requiring the court to reduce or terminate support, maintenance, or alimony under certain circumstances; clarifying provisions

relating to supportive relationships; specifying burdens of proof for the obligor and obligee when the court must determine that a supportive relationship exists or has existed and the extent to which an award of support, maintenance, or alimony should be reduced or terminated; requiring the court to make certain written findings; revising the additional factors the court must consider regarding supportive relationships; revising construction and applicability; authorizing the court to reduce or terminate an award of support, maintenance, or alimony upon specific written findings of fact regarding the obligor's retirement; providing burdens of proof for the obligor and obligee; requiring the court to make written findings regarding specified factors when deciding whether to reduce or terminate support, maintenance, or alimony; authorizing the obligor to file a petition within a certain timeframe to modify or terminate his or her support, maintenance, or alimony obligation in anticipation of retirement; requiring the court to consider certain factors and make certain written findings; amending s. 741.0306, F.S.; revising the information contained in a certain family law handbook; conforming a provision to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1416** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brodeur—

**CS for 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; requiring the office to submit a report detailing specified information to the Governor and the Legislature by 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 time-

frame; 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; requiring pharmacy benefits plans and programs, beginning on a specified date, to annually submit a certain attestation to the office; providing requirements for certain contracts between a pharmacy benefit manager and a participating pharmacy; requiring the Financial Services Commission to adopt rules; 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; requiring the office to submit an annual report of its examinations to the Governor and the Legislature by a specified date; providing requirements for the report, including specified additional requirements for the biennial reports; 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 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; providing 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.

—was read the second time by title.

Senator Brodeur moved the following amendments which were adopted:

**Amendment 1 (633284)**—Delete lines 216-217 and insert: *department. The report must include all of the*

**Amendment 2 (438956)**—Delete lines 735-741 and insert: *employed by, or receive pharmacist services from this state.*

1. *The term includes, but is not limited to, health maintenance organizations, health insurers, self-insured employer health plans, discount card programs, and government-funded health plans, including the Statewide Medicaid Managed Care program established pursuant to part IV of chapter 409 and the state group insurance program pursuant to part I of chapter 110.*

2. *The term excludes such a plan or program under chapter 440.*

**Amendment 3 (392522)**—Delete lines 830-878 and insert: *the sole discretion of a covered person, provided the covered person is not penalized, such as through the imposition of a higher cost-sharing ob-*

ligation or a lower allowed-quantity limit, for choosing not to opt in to the mail order or delivery programs; and

4. Prohibit requiring a covered person to receive pharmacist services from an affiliated pharmacy or an affiliated health care provider for the in-person administration of covered prescription drugs; offering or implementing pharmacy networks that require or provide a promotional item or an incentive, defined as anything other than a reduced cost-sharing amount or enhanced quantity limit allowed under the benefit design for a covered drug, to a covered person to use an affiliated pharmacy or an affiliated health care provider for the in-person administration of covered prescription drugs; or advertising, marketing, or promoting an affiliated pharmacy to covered persons. Subject to the foregoing, a pharmacy benefit manager may include an affiliated pharmacy in communications to covered persons regarding network pharmacies and prices, provided that the pharmacy benefit manager includes information, such as links to all nonaffiliated network pharmacies, in such communications and that the information provided is accurate and of equal prominence. This subparagraph may not be construed to prohibit a pharmacy benefit manager from entering into an agreement with an affiliated pharmacy to provide pharmacist services to covered persons.

(f) Prohibit the ability of a pharmacy benefit manager to condition participation in one pharmacy network on participation in any other pharmacy network or penalize a pharmacy for exercising its prerogative not to participate in a specific pharmacy network.

(g) Prohibit a pharmacy benefit manager from instituting a network that requires a pharmacy to meet accreditation standards inconsistent with or more stringent than applicable federal and state requirements for licensure and operation as a pharmacy in this state. However, a pharmacy benefit manager may specify additional specialty networks that require enhanced standards related to the safety and competency necessary to meet the United States Food and Drug Administration's limited distribution requirements for dispensing any drug that, on a drug-by-drug basis, requires extraordinary special handling, provider coordination, or clinical care or monitoring when such extraordinary requirements cannot be met by a retail pharmacy. For purposes of this paragraph, drugs requiring extraordinary special handling are limited to drugs that are subject to a risk evaluation and mitigation strategy approved by the United States Food and Drug Administration and that:

1. Require special certification of a health care provider to prescribe, receive, dispense, or administer; or

2. Require special handling due to the molecular complexity or cytotoxic properties of the biologic or biosimilar product or drug.

For participation in a specialty network, a pharmacy benefit manager may not require a pharmacy to meet requirements for participation beyond those necessary to demonstrate the pharmacy's ability to dispense the drug in accordance with the United States Food and Drug Administration's approved manufacturer labeling.

**Amendment 4 (704080)**—Delete line 1075 and insert: unless payments are withheld because of fraud on the part

Pursuant to Rule 4.19, **CS for CS for SB 1550**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by 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.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1552** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 980** was deferred.

**SB 1004**—A bill to be entitled An act relating to high school equivalency diplomas; amending s. 1003.435, F.S.; prohibiting a district school board from requiring certain students to take a course before taking the high school equivalency examination unless the student failed to earn a passing score on a specified practice test; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1004**, pursuant to Rule 3.11(3), there being no objection, **HB 265** was withdrawn from the Committee on Rules.

On motion by Senator Torres—

**HB 265**—A bill to be entitled An act relating to high school equivalency diplomas; amending s. 1003.435, F.S.; prohibiting a district school board from requiring certain students to take a course before taking the high school equivalency examination unless the student failed to earn a passing score on a specified practice test; providing an effective date.

—a companion measure, was substituted for **SB 1004** and read the second time by title.

On motion by Senator Torres, by two-thirds vote, **HB 265** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Madam President, Harrell, Trumbull

Consideration of **CS for SB 1278** was deferred.

**SB 722**—A bill to be entitled An act relating to the practice of veterinary medicine; amending s. 474.203, F.S.; exempting certain out-of-state veterinarians who provide specified services under the responsible supervision of a veterinarian licensed in this state from certain regulations governing veterinary medical practice; providing that the supervising licensed veterinarian is responsible for such services; specifying that such out-of-state veterinarians are ineligible for a premises permit; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 722**, pursuant to Rule 3.11(3), there being no objection, **HB 719** was withdrawn from the Committee on Rules.

On motion by Senator Burton—

**HB 719**—A bill to be entitled An act relating to the practice of veterinary medicine; amending s. 474.203, F.S.; exempting certain out-of-state veterinarians who provide specified services under the responsible supervision of a veterinarian licensed in this state from certain regulations governing veterinary medical practice; providing that the supervising licensed veterinarian is responsible for such services; specifying that such out-of-state veterinarians are ineligible for a premises permit; providing an effective date.

—a companion measure, was substituted for **SB 722** and read the second time by title.

On motion by Senator Burton, by two-thirds vote, **HB 719** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Madam President

**CS for SB 302**—A bill to be entitled An act relating to government and corporate activism; amending s. 17.57, F.S.; defining the term “pecuniary factor”; requiring that the Chief Financial Officer, or a party authorized to invest on his or her behalf, make investment decisions based solely on pecuniary factors; amending s. 20.058, F.S.; requiring a specified attestation, under penalty of perjury, from certain organizations; defining the term “pecuniary factor”; requiring citizen support organizations and direct-support organizations to make investment decisions based solely on pecuniary factors; amending s. 112.656, F.S.; requiring that investment decisions comply with a specified requirement related to the consideration of pecuniary factors; amending s. 112.661, F.S.; conforming a provision to changes made by the act; creating s. 112.662, F.S.; defining the term “pecuniary factor”; providing that only pecuniary factors may be considered in investment decisions for retirement systems or plans; providing that the interests of participants and beneficiaries of such systems or plans may not be subordinated to other objectives; requiring shareholder rights to be exercised considering only pecuniary factors; requiring specified reports; providing requirements for such reports; requiring the Department of Management Services to report certain noncompliance to the Attorney General; authorizing certain proceedings to be brought by the Attorney General who, if successful in those proceedings, is entitled to reasonable attorney fees and costs; requiring the department to adopt rules; providing applicability; amending ss. 175.071 and 185.06, F.S.; specifying that certain public boards of trustees are subject to the requirement that only pecuniary factors be considered in investment decisions; amending s. 215.47, F.S.; defining the term “pecuniary factor”; requiring the State Board of Administration to make investment decisions based solely on pecuniary factors; providing an exception to current investment and fiduciary standards in the event of a conflict; amending s. 215.475, F.S.; requiring the Florida Retirement System Defined Benefit Plan Investment Policy Statement to comply with the requirement that only pecuniary factors be considered in investment decisions; amending s. 215.4755, F.S.; requiring certain investment advisors or managers to certify in writing that investment decisions are based so-

lely on pecuniary factors; providing applicability; providing that failure to file a required certification is grounds for termination of certain contracts; providing that a submission of a materially false certification is deemed a willful refusal to comply with a certain fiduciary standard; requiring that certain noncompliance be reported to the Attorney General, who is authorized to bring certain civil or administrative actions; providing that if the Attorney General is successful in those proceedings, he or she is entitled to reasonable attorney fees and costs; creating s. 215.681, F.S.; defining terms; prohibiting bond issuers from issuing environmental, social, and governance bonds and taking other related actions; authorizing certain financial institutions to purchase and underwrite specified bonds; providing applicability; creating s. 215.855, F.S.; defining terms; requiring that contracts between governmental entities and investment managers contain certain provisions and a specified disclaimer; providing applicability; amending s. 218.415, F.S.; defining the term “pecuniary factor”; requiring units of local government to make investment decisions based solely on pecuniary factors; amending s. 280.02, F.S.; revising the definition of the term “qualified public depository”; creating s. 280.025, F.S.; requiring a specified attestation, under penalty of perjury, from certain entities, beginning on a specified date; amending s. 280.05, F.S.; requiring the Chief Financial Officer to verify such attestations; requiring the Chief Financial Officer to report materially false attestations to the Attorney General, who is authorized to bring certain civil and administrative actions; providing that if the Attorney General is successful in those proceedings, he or she is entitled to reasonable attorney fees and costs; providing construction; authorizing the Chief Financial Officer to suspend or disqualify a qualified public depository that no longer meets the definition of that term; amending s. 280.051, F.S.; adding grounds for suspension or disqualification of a qualified public depository; amending s. 280.054, F.S.; providing that failure to timely file a required attestation is deemed a knowing and willful violation; amending s. 280.055, F.S.; adding a circumstance under which the Chief Financial Officer may issue certain orders against a qualified public depository; creating s. 287.05701, F.S.; defining the term “awarding body”; prohibiting an awarding body from requesting certain documentation or giving preference to vendors based on their social, political, or ideological interests; requiring that solicitations for the procurement of commodities or contractual services by an awarding body contain a specified notification, beginning on a specified date; creating s. 516.037, F.S.; requiring licensees to make certain determinations based on an analysis of certain risk factors; prohibiting such licensees from engaging in unsafe and unsound practices; providing construction; providing that certain actions on the part of licensees are an unsafe and unsound practice; requiring a specified attestation, under penalty of perjury, from applicants and licensees, beginning on a specified date; providing that a failure to comply with specified requirements or engaging in unsafe and unsound practices constitutes a violation of the Florida Deceptive and Unfair Trade Practices Act, subject to specified sanctions and penalties; providing that only the enforcing authority can enforce such violations; providing that an enforcing authority that brings a successful action for violations is entitled to reasonable attorney fees and costs; creating s. 560.1115, F.S.; requiring licensees to make determinations about the provision or denial of services based on an analysis of certain risk factors; prohibiting the licensees from engaging in unsafe and unsound practices; providing construction; providing that certain actions are an unsafe and unsound practice; requiring a specified attestation, under penalty of perjury, from applicants and licensees, beginning on a specified date; providing that a failure to comply with specified requirements or engaging in unsafe and unsound practices constitutes a violation of the Florida Deceptive and Unfair Trade Practices Act, subject to specified sanctions and penalties; providing that only the enforcing authority can enforce such violations; providing that an enforcing authority that brings a successful action for violations is entitled to reasonable attorney fees and costs; amending s. 560.114, F.S.; revising the actions that constitute grounds for specified disciplinary action of a money services business, an authorized vendor, or an affiliated party; amending s. 655.005, F.S.; revising a definition; creating s. 655.0323, F.S.; requiring financial institutions to make determinations about the provision or denial of services based on an analysis of specified risk factors; prohibiting financial institutions from engaging in unsafe and unsound practices; providing construction; providing that certain actions are an unsafe and unsound practice; requiring a specified attestation, under penalty of perjury, from financial institutions annually, beginning on a specified date; providing that engaging in specified actions or failing to provide such attestation constitutes a violation of specified codes, subject to certain sanctions

and penalties; providing that a failure to comply with specified requirements or engaging in unsafe and unsound practices constitutes a violation of the Florida Deceptive and Unfair Trade Practices Act, subject to specified sanctions and penalties; providing that only the enforcing authority can enforce such violations; providing that an enforcing authority that brings a successful action for violations is entitled to reasonable attorney fees and costs; prohibiting certain entities from exercising specified authority; amending s. 1010.04, F.S.; prohibiting school districts, Florida College System institutions, and state universities from requesting certain documentation from vendors and giving preference to vendors based on their social, political, or ideological interests; requiring that solicitations for purchases or leases include a specified notice; reenacting s. 17.61(1), F.S., relating to powers and duties of the Chief Financial Officer in the investment of certain funds, to incorporate the amendment made to s. 17.57, F.S., in references thereto; reenacting s. 215.44(3), F.S., relating to the powers and duties of the Board of Administration in the investment of trust funds, to incorporate the amendment made to s. 215.47, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

## THE PRESIDENT PRESIDING

### MOTIONS

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

Pending further consideration of **CS for SB 302**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 3** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Grall—

**CS for CS for HB 3**—A bill to be entitled An act relating to government and corporate activism; amending s. 17.57, F.S.; defining the term “pecuniary factor”; requiring that the Chief Financial Officer, or a party authorized to invest on his or her behalf, make investment decisions based solely on pecuniary factors; amending s. 20.058, F.S.; requiring a specified attestation, under penalty of perjury, from certain organizations; defining the term “pecuniary factor”; requiring citizen support organizations and direct-support organizations to make investment decisions based solely on pecuniary factors; amending s. 112.656, F.S.; requiring that investment decisions comply with a specified requirement related to the consideration of pecuniary factors; amending s. 112.661, F.S.; conforming a provision to changes made by the act; creating s. 112.662, F.S.; defining the term “pecuniary factor”; providing that only pecuniary factors may be considered in investment decisions for retirement systems or plans; providing that the interests of participants and beneficiaries of such systems or plans may not be subordinated to other objectives; requiring shareholder rights to be exercised considering only pecuniary factors; requiring specified reports; providing requirements for such reports; requiring the Department of Management Services to report certain noncompliance to the Attorney General; authorizing certain proceedings to be brought by the Attorney General who, if successful in those proceedings, is entitled to reasonable attorney fees and costs; requiring the department to adopt rules; providing applicability; amending ss. 175.071 and 185.06, F.S.; specifying that certain public boards of trustees are subject to the requirement that only pecuniary factors be considered in investment decisions; amending s. 215.47, F.S.; defining the term “pecuniary factor”; requiring the State Board of Administration to make investment decisions based solely on pecuniary factors; providing an exception to current investment and fiduciary standards in the event of a conflict; amending s. 215.475, F.S.; requiring the Florida Retirement System Defined Benefit Plan Investment Policy Statement to comply with the requirement that only pecuniary factors be considered in investment decisions; amending s. 215.4755, F.S.; requiring certain investment advisors or managers to certify in writing that investment decisions are based solely on pecuniary factors; providing applicability; providing that failure to file a required certification is grounds for termination of

certain contracts; providing that a submission of a materially false certification is deemed a willful refusal to comply with a certain fiduciary standard; requiring that certain noncompliance be reported to the Attorney General, who is authorized to bring certain civil or administrative actions; providing that if the Attorney General is successful in those proceedings, he or she is entitled to reasonable attorney fees and costs; creating s. 215.681, F.S.; defining terms; prohibiting bond issuers from issuing environmental, social, and governance bonds and taking other related actions; authorizing certain financial institutions to purchase and underwrite specified bonds; providing applicability; creating s. 215.855, F.S.; defining terms; requiring that contracts between governmental entities and investment managers contain certain provisions and a specified disclaimer; providing applicability; amending s. 218.415, F.S.; defining the term “pecuniary factor”; requiring units of local government to make investment decisions based solely on pecuniary factors; amending s. 280.02, F.S.; revising the definition of the term “qualified public depository”; creating s. 280.025, F.S.; requiring a specified attestation, under penalty of perjury, from certain entities; amending s. 280.05, F.S.; requiring the Chief Financial Officer to verify such attestations; requiring the Chief Financial Officer to report materially false attestations to the Attorney General, who is authorized to bring certain civil and administrative actions; providing that if the Attorney General is successful in those proceedings, he or she is entitled to reasonable attorney fees and costs; providing construction; authorizing the Chief Financial Officer to suspend or disqualify a qualified public depository that no longer meets the definition of that term; amending s. 280.051, F.S.; adding grounds for suspension or disqualification of a qualified public depository; amending s. 280.054, F.S.; providing that failure to timely file a required attestation is deemed a knowing and willful violation; amending s. 280.055, F.S.; adding a circumstance under which the Chief Financial Officer may issue certain orders against a qualified public depository; creating s. 287.05701, F.S.; defining the term “awarding body”; prohibiting an awarding body from requesting certain documentation or giving preference to vendors based on their social, political, or ideological interests; requiring that solicitations for the procurement of commodities or contractual services by an awarding body contain a specified notification, beginning on a specified date; creating s. 516.037, F.S.; requiring licensees to make certain determinations based on an analysis of certain risk factors; prohibiting such licensees from engaging in unsafe and unsound practices; providing construction; providing that certain actions on the part of licensees are an unsafe and unsound practice; requiring a specified attestation, under penalty of perjury, from applicants and licensees, beginning on a specified date; providing that a failure to comply with specified requirements or engaging in unsafe and unsound practices constitutes a violation of the Florida Deceptive and Unfair Trade Practices Act, subject to specified sanctions and penalties; providing that only the enforcing authority can enforce such violations; providing that an enforcing authority that brings a successful action for violations is entitled to reasonable attorney fees and costs; creating s. 560.1115, F.S.; requiring licensees to make determinations about the provision or denial of services based on an analysis of certain risk factors; prohibiting the licensees from engaging in unsafe and unsound practices; providing construction; providing that certain actions are an unsafe and unsound practice; requiring a specified attestation, under penalty of perjury, from applicants and licensees, beginning on a specified date; providing that a failure to comply with specified requirements or engaging in unsafe and unsound practices constitutes a violation of the Florida Deceptive and Unfair Trade Practices Act, subject to specified sanctions and penalties; providing that only the enforcing authority can enforce such violations; providing that an enforcing authority that brings a successful action for violations is entitled to reasonable attorney fees and costs; amending s. 560.114, F.S.; revising the actions that constitute grounds for specified disciplinary action of a money services business, an authorized vendor, or an affiliated party; amending s. 655.005, F.S.; revising a definition; creating s. 655.0323, F.S.; requiring financial institutions to make determinations about the provision or denial of services based on an analysis of specified risk factors; prohibiting financial institutions from engaging in unsafe and unsound practices; providing construction; providing that certain actions are an unsafe and unsound practice; requiring a specified attestation, under penalty of perjury, from financial institutions annually, beginning on a specified date; providing that a failure to comply with

specified requirements or engaging in unsafe and unsound practices constitutes a violation of the Florida Deceptive and Unfair Trade Practices Act, subject to specified sanctions and penalties; providing that only the enforcing authority can enforce such violations; providing that an enforcing authority that brings a successful action for violations is entitled to reasonable attorney fees and costs; prohibiting certain entities from exercising specified authority; amending s. 1010.04, F.S.; prohibiting school districts, Florida College System Institutions, and state universities from requesting certain documentation from vendors and giving preference to vendors based on their social, political, or ideological interests; requiring that solicitations for purchases or leases include a specified notice; reenacting s. 17.61(1), F.S., relating to powers and duties of the Chief Financial Officer in the investment of certain funds, to incorporate the amendment made to s. 17.57, F.S., in references thereto; reenacting s. 215.44(3), F.S., relating to the powers and duties of the Board of Administration in the investment of trust funds, to incorporate the amendment made to s. 215.47, F.S., in a reference thereto; providing an effective date.

—a companion measure, was substituted for **CS for SB 302** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 3** was placed on the calendar of Bills on Third Reading.

### SPECIAL RECOGNITION

Senator Wright recognized Senator Broxson's wife, Mary, who was present in the gallery.

**CS for SB 552**—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for certain information relating to communications services locations, project proposals, and challenges submitted to the Department of Economic Opportunity under the Broadband Opportunity Program or pursuant to a federal broadband access grant program implemented by the department; providing applicability; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the second time by title. On motion by Senator Hooper, by two-thirds vote, **CS for SB 552** was read the third time by title, passed by the required constitutional two-thirds vote of the members present and voting, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**CS for SB 574**—A bill to be entitled An act relating to the termination of agreements by a servicemember; amending s. 83.682, F.S.; defining the term "government quarters" for purposes of the termination of a servicemember's rental agreement; making technical changes; providing an effective date.

—was read the second time by title. On motion by Senator Burgess, by two-thirds vote, **CS for SB 574** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**SJR 94**—A joint resolution proposing an amendment to Section 4 of Article IX and the creation of a new section in Article XII of the State Constitution to require members of a district school board to be elected in a partisan election.

—was read the second time by title.

Pending further consideration of **SJR 94**, pursuant to Rule 3.11(3), there being no objection, **HJR 31** was withdrawn from the Committee on Rules.

On motion by Senator Gruters—

**HJR 31**—A joint resolution proposing an amendment to Section 4 of Article IX and the creation of a new section in Article XII of the State Constitution to require members of a district school board to be elected in a partisan election.

—a companion measure, was substituted for **SJR 94** and read the second time by title.

Pursuant to Rule 4.19, **HJR 31** was placed on the calendar of Bills on Third Reading.

**CS for SB 636**—A bill to be entitled An act relating to individual education plans; amending s. 1003.5716, F.S.; requiring individual education plans for certain students to contain information and instruction on certain legal rights and responsibilities that transfer to students at the age of 18; requiring such information to include ways in which a student may provide informed consent to allow his or her parent to continue to participate in his or her educational decisions; requiring the State Board of Education to adopt rules; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 636**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 19** was withdrawn from the Committee on Rules.

On motion by Senator Simon—

**CS for CS for HB 19**—A bill to be entitled An act relating to individual education plans; amending s. 1003.5716, F.S.; requiring individual education plans for certain students to contain information and instruction on certain legal rights and responsibilities that transfer to students at the age of 18; requiring such information to include ways in which a student may provide informed consent to allow his or her parent to continue to participate in his or her educational decisions; requiring the State Board of Education to adopt rules; providing an effective date.

—a companion measure, was substituted for **CS for SB 636** and read the second time by title.



On motion by Senator Simon, by two-thirds vote, **CS for CS for HB 19** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**CS for SB 946**—A bill to be entitled An act relating to public records; amending s. 15.16, F.S.; providing an exemption from public records requirements for e-mail addresses and secure login credentials held by the Department of State relating to electronically filed records; defining the term “secure login credentials”; providing retroactive applicability; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

—was read the second time by title. On motion by Senator Grall, by two-thirds vote, **CS for SB 946** was read the third time by title, passed by the required constitutional two-thirds vote of the members present and voting, and certified to the House. The vote on passage was:

Yeas—37

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

Nays—1

Berman

**SB 948**—A bill to be entitled An act relating to records electronically filed with the Department of State; amending s. 15.16, F.S.; authorizing the department to implement certain systems relating to electronically filed records; providing requirements and authorizations for the department relating to such systems; providing an effective date.

—was read the second time by title. On motion by Senator Grall, by two-thirds vote, **SB 948** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Madam President	Book	Burgess
Albritton	Boyd	Burton
Avila	Bradley	Calatayud
Baxley	Brodeur	Collins
Berman	Broxson	Davis

DiCeglie	Jones	Rodriguez
Garcia	Martin	Rouson
Grall	Mayfield	Simon
Gruters	Osgood	Thompson
Harrell	Perry	Torres
Hooper	Pizzo	Trumbull
Hutson	Polsky	Wright
Ingoglia	Powell	

Nays—None

**CS for SB 978**—A bill to be entitled An act relating to secured transactions; amending s. 679.1081, F.S.; providing that a description of certain accounts and entitlements by a certain type of collateral is insufficient for the purpose of security agreements; providing an effective date.

—was read the second time by title. On motion by Senator Bradley, by two-thirds vote, **CS for SB 978** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**SB 1312**—A bill to be entitled An act relating to regulatory assessment fees; amending s. 120.80, F.S.; exempting certain rules adopted by the Florida Public Service Commission relating to regulatory assessment fees from the required filing of statements of estimated regulatory costs and from submission for legislative ratification; providing an effective date.

—was read the second time by title. On motion by Senator Collins, by two-thirds vote, **SB 1312** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**CS for CS for SB 1342**—A bill to be entitled An act relating to capital sexual battery; amending s. 794.011, F.S.; revising how certain capital felonies are punished; requiring that specified procedures be

followed to determine a sentence of death or life imprisonment without the possibility of parole in specified capital felony cases; requiring a prosecutor to give certain notice if he or she intends to seek the death penalty; providing notice requirements; creating s. 921.1425, F.S.; providing legislative findings and intent; requiring a court to conduct a separate sentencing proceeding to determine whether a defendant should be sentenced to death or life imprisonment without the possibility of parole upon the defendant's conviction or adjudication of guilt for a capital felony; providing proceeding requirements; authorizing the presentation of certain evidence during such proceedings; requiring a jury to make specified determinations, findings, and recommendations; requiring a recommendation to the court of a sentence of death if at least eight jurors determine that the defendant should be sentenced to death; requiring a recommendation to the court of a sentence of life imprisonment without the possibility of parole if fewer than eight jurors determine that the defendant should be sentenced to death; requiring the court to impose the jury's recommended sentence if the recommendation is for a sentence of life imprisonment without the possibility of parole; authorizing the court to impose a sentence of life imprisonment without the possibility of parole or a sentence of death if the recommended sentence is for death; authorizing the court to impose a sentence of death only if the jury unanimously finds at least two aggravating factors beyond a reasonable doubt; requiring a court to enter a written order addressing specified information; specifying that a judgment of conviction and sentence of death is subject to automatic review by the Florida Supreme Court; specifying aggravating factors; specifying mitigating circumstances; authorizing the prosecution to introduce and argue victim impact evidence to the jury; providing construction; providing applicability; amending s. 924.07, F.S.; authorizing the state to appeal from a sentence on the grounds that it resulted from the failure of the circuit court to comply with specified sentencing procedure requirements; amending ss. 921.137 and 921.141, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1342**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1297** was withdrawn from the Committee on Rules.

On motion by Senator Martin—

**CS for CS for HB 1297**—A bill to be entitled An act relating to capital sexual battery; amending s. 794.011, F.S.; providing for death sentences for certain child sexual offenders; creating s. 921.1425, F.S.; providing legislative intent concerning capital punishment for certain child sexual offenders; providing for separate death penalty proceedings in such cases; providing for findings and recommended sentences by a jury; providing for imposition of sentence of life imprisonment or death; providing requirements for a court order in support of a death sentence; providing for automatic review of sentences of death; specifying aggravating factors and mitigating circumstances; providing for victim impact evidence; providing for resentencing if provisions are found to be unconstitutional; providing applicability; amending ss. 921.137 and 921.141, F.S.; conforming provisions to changes made by the act; amending s. 924.07, F.S.; authorizing the state to appeal from a sentence on the grounds that it resulted from the failure of the circuit court to comply with specified sentencing procedure requirements; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1342** and read the second time by title.

On motion by Senator Martin, by two-thirds vote, **CS for CS for HB 1297** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—34

Madam President	Brodeur	DiCeglie
Albritton	Broxson	Gruters
Avila	Burgess	Harrell
Baxley	Burton	Hooper
Book	Calatayud	Hutson
Boyd	Collins	Ingoglia
Bradley	Davis	Jones

Martin	Powell	Torres
Mayfield	Rodriguez	Trumbull
Perry	Rouson	Wright
Pizzo	Simon	
Polsky	Stewart	
Nays—5		
Berman	Grall	Thompson
Garcia	Osgood	

**SB 7044**—A bill to be entitled An act relating to changes in ownership of or interest in pari-mutuel permits; amending s. 550.054, F.S.; revising entities authorized to hold pari-mutuel wagering permits and associated licenses; amending s. 849.086, F.S.; specifying such entities may hold a license for the operation of a cardroom; amending s. 550.01215, F.S.; providing applicability; providing an effective date.

—was read the second time by title. On motion by Senator Gruters, by two-thirds vote, **SB 7044** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

**CS for SB 666**—A bill to be entitled An act relating to the form of candidate oath; amending s. 99.021, F.S.; revising the address that certain candidates must provide on the form of candidate oath; amending s. 105.031, F.S.; revising the address that judicial candidates must provide on the form of candidate oath; providing an effective date.

—was read the second time by title. On motion by Senator Collins, by two-thirds vote, **CS for SB 666** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**SB 938**—A bill to be entitled An act relating to the operation and administration of the Baker Act; amending s. 394.457, F.S.; requiring

the Department of Children and Families to provide specified information to certain individuals and organizations; requiring the department to maintain an information handbook and repository of answers to frequently asked questions; providing requirements for such handbook and repository; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 938**, pursuant to Rule 3.11(3), there being no objection, **HB 829** was withdrawn from the Committee on Rules.

On motion by Senator Davis—

**HB 829**—A bill to be entitled An act relating to the operation and administration of the Baker Act; amending s. 394.457, F.S.; requiring the Department of Children and Families to provide specified information to certain individuals and organizations; requiring the department to maintain an information handbook and repository of answers to frequently asked questions; providing requirements for such handbook and repository; providing an effective date.

—a companion measure, was substituted for **SB 938** and read the second time by title.

On motion by Senator Davis, by two-thirds vote, **HB 829** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**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.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 52**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 379** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Burgess, the rules were waived and—

**CS for HB 379**—A bill to be entitled An act relating to technology in K-12 public schools; amending s. 1003.02, F.S.; prohibiting certain devices from accessing websites, web applications, and software that fail to have specified Internet safety policies; providing for the filtering of Internet websites on student devices using district-owned computer servers for a specified purpose; prohibiting the use of specified platforms on certain devices and for specified school district purposes; amending s. 1003.32, F.S.; authorizing teachers and other instructional personnel to designate an area for wireless communications during instructional time; amending s. 1003.42, F.S.; revising the requirements for K-12 instruction on health education to include specified instruction relating to social media for students in certain grades; providing requirements for such instruction; amending s. 1006.07, F.S.; requiring school districts' codes of student conduct to prohibit the use of specified devices during instructional time and authorize teachers to withhold specified devices; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 52** and read the second time by title.

Senator Burgess moved the following amendment which was adopted:

**Amendment 1 (869924) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Paragraph (g) of subsection (1) of section 1003.02, Florida Statutes, is amended to read:

1003.02 District school board operation and control of public K-12 education within the school district.—As provided in part II of chapter 1001, district school boards are constitutionally and statutorily charged with the operation and control of public K-12 education within their school districts. The district school boards must establish, organize, and operate their public K-12 schools and educational programs, employees, and facilities. Their responsibilities include staff development, public K-12 school student education including education for exceptional students and students in juvenile justice programs, special programs, adult education programs, and career education programs. Additionally, district school boards must:

(1) Provide for the proper accounting for all students of school age, for the attendance and control of students at school, and for proper attention to health, safety, and other matters relating to the welfare of students in the following areas:

(g) *School operation.*—

1. Provide for the operation of all public schools as free schools for a term of 180 days or the equivalent on an hourly basis as specified by rules of the State Board of Education; determine district school funds necessary in addition to state funds to operate all schools for the minimum term; and arrange for the levying of district school taxes necessary to provide the amount needed from district sources.

2. Prepare, adopt, and timely submit to the Department of Education, as required by law and by rules of the State Board of Education, the annual school budget, so as to promote the improvement of the district school system.

3. *Provide and adopt an Internet safety policy for student access to the Internet provided by the school district which:*

a. *Limits access by students to only age-appropriate subject matter and materials on the Internet.*

b. *Protects the safety and security of students when using e-mail, chat rooms, and other forms of direct electronic communications.*

c. *Prohibits access by students to data or information, including so-called "hacking," and other unlawful online activities by students.*

*d. Prevents access to websites, web applications, or software that does not protect against the disclosure, use, or dissemination of students' personal information.*

*4. Prohibit and prevent students from accessing social media platforms through the use of Internet access provided by the school district, except when expressly directed by a teacher solely for educational purposes.*

*5. Prohibit the use of the TikTok platform or any successor platform on district-owned devices, through Internet access provided by the school district, or as a platform to communicate or promote any district school, school-sponsored club, extracurricular organization, or athletic team.*

*The State Board of Education shall adopt rules to administer this paragraph.*

Section 2. Paragraph (a) of subsection (1) of section 1003.32, Florida Statutes, is amended to read:

1003.32 Authority of teacher; responsibility for control of students; district school board and principal duties.—Subject to law and to the rules of the district school board, each teacher or other member of the staff of any school shall have such authority for the control and discipline of students as may be assigned to him or her by the principal or the principal's designated representative and shall keep good order in the classroom and in other places in which he or she is assigned to be in charge of students.

(1) In accordance with this section and within the framework of the district school board's code of student conduct, teachers and other instructional personnel shall have the authority to undertake any of the following actions in managing student behavior and ensuring the safety of all students in their classes and school and their opportunity to learn in an orderly and disciplined classroom:

(a) Establish classroom rules of conduct, *including designating an area for wireless communications devices during instructional time.*

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

1003.42 Required instruction.—

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

(n) Comprehensive age-appropriate and developmentally appropriate K-12 instruction on:

1. Health education that addresses concepts of community health, consumer health, environmental health, and family life, including:

- a. Injury prevention and safety.
- b. Internet safety.
- c. Nutrition.
- d. Personal health.
- e. Prevention and control of disease.
- f. Substance use and abuse.
- g. Prevention of child sexual abuse, exploitation, and human trafficking.

2. For students in grades 7 through 12, teen dating violence and abuse. This component must include, but not be limited to, the definition of dating violence and abuse, the warning signs of dating violence and abusive behavior, the characteristics of healthy relationships,

measures to prevent and stop dating violence and abuse, and community resources available to victims of dating violence and abuse.

3. For students in grades 6 through 12, awareness of the benefits of sexual abstinence as the expected standard and the consequences of teenage pregnancy.

4. Life skills that build confidence, support mental and emotional health, and enable students to overcome challenges, including:

- a. Self-awareness and self-management.
- b. Responsible decisionmaking.
- c. Resiliency.
- d. Relationship skills and conflict resolution.

e. Understanding and respecting other viewpoints and backgrounds.

f. For grades 9 through 12, developing leadership skills, interpersonal skills, organization skills, and research skills; creating a resume, including a digital resume; exploring career pathways; using state career planning resources; developing and practicing the skills necessary for employment interviews; workplace ethics and workplace law; managing stress and expectations; and self-motivation.

*5.a. For students in grades 6 through 12, the social, emotional, and physical effects of social media. This component must include, but need not be limited to, the negative effects of social media on mental health, including addiction; the distribution of misinformation on social media; how social media manipulates behavior; the permanency of sharing materials online; how to maintain personal security and identify cyberbullying, predatory behavior, and human trafficking on the Internet; and how to report suspicious behavior encountered on the Internet.*

*b. The Department of Education shall make available online the instructional material being used pursuant to this subparagraph, and each district school board shall notify parents of its availability.*

Health education and life skills instruction and materials may not contradict the principles enumerated in subsection (3).

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

Section 4. Paragraph (f) of subsection (2) of section 1006.07, Florida Statutes, is amended to read:

1006.07 District school board duties relating to student discipline and school safety.—The district school board shall provide for the proper accounting for all students, for the attendance and control of students at school, and for proper attention to health, safety, and other matters relating to the welfare of students, including:

(2) CODE OF STUDENT CONDUCT.—Adopt a code of student conduct for elementary schools and a code of student conduct for middle and high schools and distribute the appropriate code to all teachers, school personnel, students, and parents, at the beginning of every school year. Each code shall be organized and written in language that is understandable to students and parents and shall be discussed at the beginning of every school year in student classes, school advisory council meetings, and parent and teacher association or organization meetings. Each code shall be based on the rules governing student conduct and discipline adopted by the district school board and shall be made available in the student handbook or similar publication. Each code shall include, but is not limited to:

(f) Notice that use of a wireless communications device includes the possibility of the imposition of disciplinary action by the school or

criminal penalties if the device is used in a criminal act. A student may possess a wireless communications device while the student is on school property or in attendance at a school function; *however, a student may not use a wireless communications device during instructional time, except when expressly directed by a teacher solely for educational purposes. A teacher shall designate an area for wireless communications devices during instructional time.* Each district school board shall adopt rules governing the use of a wireless communications device by a student while the student is on school property or in attendance at a school function.

Section 5. This act shall take effect July 1, 2023.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to technology in K-12 public schools; amending s. 1003.02, F.S.; requiring each district school board to adopt an Internet safety policy for student access to the Internet provided by the school district; providing requirements for the policy; requiring each school district to prohibit and prevent student access to social media through Internet access provided by the school district; providing an exception; prohibiting the use of certain platforms on district-owned devices and through Internet access provided by the school district; requiring the State Board of Education to adopt rules; amending s. 1003.32, F.S.; authorizing teachers and other instructional personnel to designate an area for wireless communications during instructional time; amending s. 1003.42, F.S.; requiring public schools to provide instruction on the social, emotional, and physical effects of social media; providing requirements for such instruction; requiring the Department of Education to make certain instructional material available online and notify parents of its availability; amending s. 1006.07, F.S.; requiring that school districts' codes of student conduct prohibit student use of wireless communications devices during instructional time; providing an exception; requiring a teacher to designate an area for wireless communications devices during instructional time; providing an effective date.

On motion by Senator Burgess, by two-thirds vote, **CS for HB 379**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**SB 7000**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 744.21031, F.S., which provides an exemption from public records requirements for certain identifying and location information of current or former public guardians, employees with fiduciary responsibility, and the spouses and children thereof; defining terms; narrowing the scope of the public records exemption for current public guardians and employees with fiduciary responsibility and former public guardians and employees with fiduciary responsibility, respectively; removing the scheduled repeal date of the exemption; providing an effective date.

—was read the second time by title. On motion by Senator Garcia, by two-thirds vote, **SB 7000** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

## MOTIONS

On motion by Senator Mayfield, the rules were waived and the following bill temporarily postponed on the Special Order Calendar this day was retained on the Special Order Calendar: **CS for SB 1278**.

On motion by Senator Mayfield, the rules were waived and a deadline of one hour after adjournment was set for filing amendments to Bills on Third Reading to be considered Wednesday, April 19, 2023.

## 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 Tuesday, April 18, 2023: SB 7000, SB 7004, SB 7012, CS for SB 7020, SB 7022, SB 10, CS for CS for SB 538, CS for SB 598, CS for SB 1416, CS for CS for SB 1550, CS for SB 1552, CS for SB 980, SB 1004, CS for SB 1278, SB 722, CS for SB 302, CS for SB 552, CS for SB 574, SJR 94, CS for SB 636, CS for SB 946, SB 948, CS for SB 978, SB 1312, CS for CS for SB 1342, SB 7044, CS for SB 666, SB 938, CS for CS for CS for SB 52.

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

## REPORTS OF COMMITTEES

The Appropriations Committee on Education recommends the following pass: SB 1272

The Appropriations Committee on Health and Human Services recommends the following pass: CS for SB 366

The Appropriations Committee on Transportation, Tourism, and Economic Development recommends the following pass: CS for SB 430; CS for SB 838; CS for SB 1070; CS for SB 1094

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

The Appropriations Committee on Education recommends the following pass: SB 804; SB 1112; CS for SB 1236; SB 1564

The Appropriations Committee on Health and Human Services recommends the following pass: CS for SB 344; CS for SB 858; CS for SB 1540; CS for SB 1542; CS for SB 1548

The Appropriations Committee on Transportation, Tourism, and Economic Development recommends the following pass: SB 1046; SB 1048

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

The Committee on Finance and Tax recommends a committee substitute for the following: CS for SB 698

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

The Committee on Appropriations recommends committee substitutes for the following: CS for SB 110; CS for SB 490

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

## INTRODUCTION AND REFERENCE OF BILLS

### FIRST READING

**Senate Bills 7000-7056**—Previously introduced.

By the Committee on Finance and Tax—

**SB 7058**—A bill to be entitled An act relating to the Internal Revenue Code; amending s. 220.03, F.S.; revising the date of adoption of the Internal Revenue Code and other federal income tax statutes for purposes of the state corporate income tax; providing retroactive operation; providing an effective date.

—was referred to the Committee on Appropriations.

By the Committee on Finance and Tax—

**SB 7060**—A bill to be entitled An act relating to taxes on purchases made through private-label credit card programs; amending s. 212.17, F.S.; deleting the authority of a dealer, under certain circumstances, to claim a credit for, or obtain a refund of, sales tax remitted by the dealer on the unpaid balance due on certain accounts and receivables; deleting requirements, procedures, limitations, and definitions relating to such credits and refunds; providing an effective date.

—was referred to the Committee on Appropriations.

By the Committee on Finance and Tax—

**SB 7062**—A bill to be entitled An act relating to taxation; amending s. 125.01, F.S.; prohibiting a county from levying special assessments on certain lands; deleting exceptions; deleting the definition of the term “agricultural pole barn”; amending ss. 125.0104 and 125.0108, F.S.; requiring that a referendum to reenact an expiring tourist development tax or tourist impact tax, respectively, be held at a general election; limiting the occurrence of such a referendum; amending s. 125.901, F.S.; requiring that a referendum to approve a millage rate increase for a children’s services independent special district property tax be held at a general election; limiting the occurrence of such a referendum; amending s. 212.055, F.S.; requiring that a referendum to reenact a local government discretionary sales surtax be held at a general election; limiting the occurrence of such a referendum; amending ss. 336.021 and 336.025, F.S.; requiring that a referendum to adopt, amend, or reenact a ninth-cent fuel tax or local option fuel taxes, respectively, be held at a general election; limiting the occurrence of a referendum to reenact such a tax; amending s. 196.081, F.S.; specifying that certain permanently and totally disabled veterans or their surviving spouses are entitled to, rather than may receive, a prorated re-

fund of ad valorem taxes paid under certain circumstances; making clarifying changes relating to the transfer of homestead tax exemptions by surviving spouses of certain veterans and first responders; providing construction; expanding eligibility for the prorated refund; removing a limitation on when certain surviving spouses are exempt from a specified tax; exempting from ad valorem taxation the homestead property of the surviving spouse of a first responder who dies in the line of duty while employed by the Federal Government; expanding the definition of the term “first responder” to include certain federal law enforcement officers; providing applicability; amending s. 196.196, F.S.; making a technical change; providing construction relating to tax-exempt property used for a religious purpose; amending s. 196.198, F.S.; adding circumstances under which certain property used exclusively for educational purposes is deemed owned by an educational institution; specifying requirements for such educational institutions and property owners; amending s. 197.319, F.S.; revising definitions; revising requirements for applying for property tax refunds due to catastrophic events; revising duties of property appraisers and tax collectors; making technical changes; providing applicability; amending ss. 199.145 and 201.08, F.S.; providing requirements for taxation of specified loans in certain circumstances; amending s. 201.21, F.S.; conforming provisions to changes made by the act; exempting from documentary stamp taxes certain documents in connection with the sale of alarm systems; amending s. 202.19, F.S.; revising the name of the discretionary communications services tax; requiring that a certain tax remain the same rate as it was on a specified past date until a specified future date; prohibiting a certain tax passed after a specified date from being added to the local communications service tax until a future date; amending s. 206.9952, F.S.; conforming provisions to changes made by the act; amending s. 206.9955, F.S.; delaying the effective date of certain taxes on natural gas fuel; amending s. 206.996, F.S.; conforming a provision to changes made by the act; amending s. 212.08, F.S.; defining the term “renewable natural gas”; providing a sales tax exemption for the purchase of certain machinery and equipment relating to renewable natural gas; requiring purchasers of such machinery and equipment to furnish the vendor with a certain affidavit; providing an exception; providing penalties, including a criminal penalty; authorizing the Department of Revenue to adopt rules; exempting the purchase of specified baby and toddler products from the sales and use tax; providing a presumption; exempting the sale for human use of diapers, incontinence undergarments, incontinence pads, and incontinence liners from the sales and use tax; exempting the sale of oral hygiene products from the sales and use tax; defining the term “oral hygiene products”; exempting the sale of certain firearm safety devices from the sales and use tax; amending s. 212.12, F.S.; revising the amount of a sales tax collection allowance for certain dealers; amending s. 212.20, F.S.; requiring the Department of Revenue to distribute funds to the Florida Agricultural Promotional Campaign Trust Fund; providing for future repeal; creating s. 550.09516, F.S.; providing for a credit for thoroughbred racing permitholders; requiring the Florida Gaming Control Commission to require sufficient documentation; authorizing permitholders to apply the credits monthly beginning on a specified annual date to certain taxes and fees; providing for expiration of credits; authorizing the commission to adopt rules; amending s. 571.26, F.S.; requiring that certain funds be held separately in the trust fund for certain purposes; providing for the future expiration and reversion of specified statutory text; creating s. 571.265, F.S.; defining the terms “association” and “permitholder”; requiring that certain funds deposited into the trust fund be used for a specified purpose; providing for carryover of unused funds; specifying requirements for the use and distribution of funds; requiring recipients to submit a report; providing for future repeal; amending s. 213.053, F.S.; authorizing the Department of Revenue to provide certain information to the Department of Environmental Protection, the Division of Historical Resources of the Department of State, and the Federal Government; creating s. 220.199, F.S.; defining terms; providing a corporate income tax credit to developers and homebuilders for certain graywater systems purchased during the taxable year; providing a cap on the amount of the tax credit per system; specifying information the developer or homebuilder must provide to the Department of Environmental Protection; requiring the Department of Environmental Protection to certify to the applicant and the Department of Revenue its determination of an applicant’s eligibility for the tax credit within a specified timeframe; authorizing tax credits to be carried

forward for up to a specified number of years; requiring the Department of Revenue and the Department of Environmental Protection to adopt rules; amending s. 220.02, F.S.; revising the order in which credits are applied against the corporate income tax or franchise tax; amending s. 220.13, F.S.; requiring the addition of amounts taken for certain credits to taxable income; amending s. 220.1845, F.S.; authorizing additional amounts of contaminated site rehabilitation tax credits which may be granted for each fiscal year and for a specified timeframe; providing for future repeal; amending s. 376.30781, F.S.; authorizing additional amounts of tax credits for the rehabilitation of drycleaning-solvent-contaminated sites and brownfield sites in designated brownfield areas which may be granted for each fiscal year and for a specified timeframe; providing for future repeal; creating s. 220.197, F.S.; providing a short title; defining terms; providing a credit against the state corporate income tax and the insurance premium tax for qualified expenses in rehabilitating certain historic structures; specifying eligibility requirements for the tax credit; specifying requirements for taxpayers claiming or transferring tax credits; specifying requirements for the Division of Historical Resources of the Department of State for evaluating and certifying applications for tax credits; specifying the allowable amounts of tax credits; providing construction; authorizing the carryforward, sale, and transfer of tax credits subject to certain requirements and limitations; providing the Department of Revenue and the division audit and examination powers for specified purposes; requiring the return of forfeited tax credits under certain circumstances; providing penalties; requiring the division to provide specified annual reports to the Legislature; providing duties of the Department of Revenue; providing applicability; authorizing the Department of Revenue and the division to adopt rules; amending s. 220.222, F.S.; requiring specified calculations relating to the underpayment of taxes to include the amount of certain credits; amending s. 402.62, F.S.; increasing the Strong Families Tax Credit cap; amending s. 624.509, F.S.; specifying the order in which the certified rehabilitation tax credit is applied against the insurance premium tax; exempting from sales and use tax the retail sale of certain clothing, wallets, bags, school supplies, learning aids and jigsaw puzzles, and personal computers and personal computer-related accessories during specified timeframes; defining terms; specifying locations where the tax exemptions do not apply; authorizing certain dealers to opt out of participating in the tax holiday, subject to certain requirements; authorizing the Department of Revenue to adopt emergency rules; exempting from sales and use tax specified disaster preparedness supplies during a specified timeframe; defining terms; specifying locations where the tax exemptions do not apply; authorizing the Department of Revenue to adopt emergency rules; exempting from sales and use tax admissions to certain events, performances, and facilities, certain season tickets, and the retail sale of certain boating and water activity, camping, fishing, general outdoor, and residential pool supplies and sporting equipment during specified timeframes; defining terms; specifying locations where the tax exemptions do not apply; authorizing the Department of Revenue to adopt emergency rules; exempting from the sales and use tax the retail sale of certain tools during a specified timeframe; specifying locations where the tax exemptions do not apply; authorizing the Department of Revenue to adopt emergency rules; exempting from sales and use tax the retail sale of new ENERGY STAR appliances during a specified timeframe; defining the term "ENERGY STAR appliance"; exempting from sales and use tax the retail sale of gas ranges and cooktops during a specified timeframe; defining the term "gas ranges and cooktops"; authorizing the Department of Revenue to adopt emergency rules; providing effective dates.

—was referred to the Committee on Appropriations.

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committees on Appropriations; and Governmental Oversight and Accountability; and Senator Hooper—

**CS for CS for SB 110**—A bill to be entitled An act relating to the State Board of Administration; amending s. 121.091, F.S.; prohibiting the State Board of Administration from paying benefits to a Florida

Retirement System investment plan member convicted of specified felonies; requiring the state board to return to a member contributions that were accumulated up to the date of conviction; prohibiting the state board from paying benefits until the resolution of the proceedings of any potentially disqualifying offenses; amending s. 121.4501, F.S.; authorizing the state board to develop investment products to be offered in the investment plan; revising the process for a member's spouse to acknowledge that he or she is not the primary beneficiary of the member's benefits; authorizing a member to request a waiver of such acknowledgement under certain circumstances; amending s. 215.47, F.S.; revising the types of investments in real property and related personal property which the state board may invest in; authorizing the state board and certain affiliated entities and ventures to issue securities and borrow money through specified means; authorizing the state board to use the proceeds of loans or financing obligations as loans to or sources of funding for certain entities or ventures; requiring that the ownership of an entity holding title to real property be vested in the name of the Florida Retirement System Trust Fund; revising the funds in which the state may invest no more than 80 percent of its moneys available for investments; revising the requirements of the proposed plan the state board must present to the Investment Advisory Council to invest in unauthorized investments; deleting authorization for the council to obtain independent investment counsel to provide expert advice on state board investment activity; revising the threshold for the amount that may be invested in alternative investments; amending s. 215.4725, F.S.; revising the definition of the terms "Boycott Israel" or "boycott of Israel"; requiring the public fund to notify companies it places on the Scrutinized Companies that Boycott Israel List that they may be subject to divestment; providing a timeframe for the public fund's divestment from companies that boycott Israel, and processes for the companies' reintroduction on the Scrutinized Companies that Boycott Israel List in certain circumstances; authorizing the public fund to cease its divestment from or to reinvest in certain scrutinized companies if the value of all assets under management by the public fund becomes equal to or less than a specified amount, pursuant to specified procedures; reenacting ss. 112.661(5)(a), 420.503(3)(a), and 1002.36(4)(e), F.S., relating to authorized investments, the definition of the term "authorized investments", and investments made on behalf of the Florida School for the Deaf and the Blind, respectively, to incorporate the amendments made to s. 215.47, F.S., in references thereto; providing an effective date.

By the Committees on Appropriations; and Commerce and Tourism; and Senators Jones and Davis—

**CS for CS for SB 490**—A bill to be entitled An act relating to deceased individuals; providing a short title; amending s. 960.001, F.S.; requiring law enforcement agencies to provide certain information during the investigation of the death of a minor; providing an exception; providing construction; amending s. 497.005, F.S.; revising the definition of the term "legally authorized person"; providing an effective date.

By the Committees on Finance and Tax; and Community Affairs; and Senator Ingoglia—

**CS for CS for SB 698**—A bill to be entitled An act relating to local tax referenda requirements; amending ss. 125.0104 and 125.0108, F.S.; requiring that a referendum to reenact an expiring tourist development tax or tourist impact tax, respectively, be held at a general election; limiting the occurrence of such a referendum; amending s. 125.901, F.S.; requiring that a referendum to approve a millage rate increase for a children's services independent special district property tax be held at a general election; limiting the occurrence of such a referendum; amending s. 212.055, F.S.; requiring that a referendum to reenact a local government discretionary sales surtax be held at a general election; limiting the occurrence of such a referendum; amending ss. 336.021 and 336.025, F.S.; requiring that a referendum to adopt, amend, or reenact a ninth-cent fuel tax or local option fuel taxes, respectively, be held at a general election; limiting the occurrence of a referendum to reenact such a tax; providing an effective date.

## CORRECTION AND APPROVAL OF JOURNAL

The Journals of April 12 and April 17 were corrected and approved.

**CO-INTRODUCERS**

Senators Calatayud—CS for SB 1386; Davis—CS for SB 1412; Di-Ceglie—SR 1728; Hooper—CS for CS for SB 296; Osgood—SB 1466; Torres—CS for SB 174

**ADJOURNMENT**

On motion by Senator Mayfield, the Senate adjourned at 7:52 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 3:30 p.m., Wednesday, April 19 or upon call of the President.