



Journal of the Senate

Number 24—Regular Session

Tuesday, May 2, 2023

CONTENTS

Bills on Special Orders	718
Call to Order	672
Communication	673
House Messages, Final Action	719
House Messages, Returning	717
Motions	718
Motions Relating to Committee Reference	718
Resolutions	672
Special Guests	681, 688, 706, 717
Special Order Calendar	673
Special Recognition	673, 694

CALL TO ORDER

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

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

PRAYER

The following prayer was offered by Pastor Derrick Gray, River of Life Church, Crawfordville:

Heavenly Father, your word instructs us to pray for those in authority over us, so we stand here today in obedience to that command. We thank you for the freedom and privilege to do that in a public setting. Those who serve in this chamber have been given a noble and weighty responsibility—to serve the common good of the State of Florida. As they attend to the work before them on this day, I pray that you grant them patience, wisdom, and courage: patience to work with one another while remembering that every person here is made in the image of God, wisdom to come to the right decisions, and the courage to carry them out. May they be guided by your providence and strengthened by your common grace in order to fulfill your purposes in the work they do. Let us always remember that to you, and you alone, we must all one day stand and give account. God, bless them and bless this great state. In Christ's name, I ask these things. Amen.

PLEDGE

Senate Pages, Demetria Coley of Tallahassee; Elias Nieves of Daytona Beach; and Ashlyn Riley of Wesley Chapel, 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. Jennifer Chan of Daytona Beach, sponsored by Senator Hutson, as the doctor of the day. Dr. Chan specializes in emergency medicine.

ADOPTION OF RESOLUTIONS

At the request of Senator Burton—

By Senator Burton—

SR 392—A resolution recognizing the urgent need for the expansion of existing comprehensive cardiovascular screening programs and for the creation of new initiatives to allow for earlier identification of patients at risk of cardiovascular events to decrease the number of deaths attributable to atherosclerotic cardiovascular disease.

WHEREAS, cardiovascular disease is the leading cause of death in the United States, and

WHEREAS, in 2019, about 21 million patients were diagnosed with atherosclerotic cardiovascular disease (ASCVD), making them at risk for a cardiovascular event, and

WHEREAS, ASCVD is linked to the build-up of cholesterol in the arteries, and the risk of associated events can be modified by lowering low-density lipoprotein cholesterol (LDL-C), and

WHEREAS, it is estimated that in 2019 more than 102 million Americans 20 years of age or older had total cholesterol levels that exceeded what is considered the healthy range, and

WHEREAS, in 2022, some 43.1 million Americans were being treated with lipid-lowering therapies to manage cardiovascular risk, and

WHEREAS, that year, only 20 percent of people with ASCVD who were taking statins, one of the leading lipid-lowering therapies, achieved healthy levels of LDL-C, and

WHEREAS, ASCVD has a substantial economic impact on our society, with national expenditures for the prevention and treatment of ASCVD totaling \$126 billion in 2015, a number that is projected to reach \$309 billion in 2035, and

WHEREAS, in Florida, more than 1.65 million adults were diagnosed and told by a health professional in 2019 that they had angina or coronary artery disease or had suffered a stroke or heart attack, all of which are manifestations of ASCVD, and

WHEREAS, Centers for Disease Control (CDC) data shows that in that same year, ASCVD was reported as an underlying cause of death for 34,781 Floridians, and CDC survey data compiled in that period shows that 814,700 Florida adults reported having experienced a heart attack and 628,900 reported having experienced a stroke in their lifetimes, and

WHEREAS, one report estimates that Floridians spend \$9.64 billion annually on direct medical expenses for ASCVD care, NOW, THEREFORE,

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

That the extraordinarily high cost to Floridians of atherosclerotic cardiovascular disease is recognized and that, in collaboration with the Federal Government, as appropriate, state agencies are encouraged to

expand comprehensive cardiovascular screening programs to allow for earlier identification of patients at risk for cardiovascular events.

BE IT FURTHER RESOLVED that the activities implemented by the Department of Health and its partners to support the overall strategies of tracking and monitoring clinical quality measures, implementing team-based care, and linking community resources and clinical services are recognized as is the importance of vigilance in the administration of the department's HeartHealth+ Program to accelerate quality improvements in the care rendered to patients who are at risk of or who have symptoms of ASCVD so that screening, treatment, monitoring, and improved health outcomes are achieved.

—was introduced, read, and adopted by publication.

COMMUNICATION

The Honorable Kathleen Passidomo
President, The Florida Senate
Suite 409, The Capitol
Tallahassee, FL 32399-1100

May 2, 2023

Dear Madam President:

In compliance with Article III, Section 19(d) of the State Constitution and Joint Rule 2, the conference committee report on the General Appropriations Act—SB 2500 was electronically furnished to each member of the Legislature, the Governor, each member of the Cabinet, and the Chief Justice of the Supreme Court.

The Conference Committee Report on SB 2500 was made available May 2, 2023, at 8:48 a.m.

Respectfully submitted,
Tracy C. Cantella
Secretary of the Senate

SPECIAL RECOGNITION

Senator Wright recognized U.S. Navy WAVES World War II veteran, Specialist 3rd Class Dorothy "Pat" Rudd, who is 101 years old, and was present in the gallery.

SPECIAL ORDER CALENDAR

CS for CS for CS for SB 280—A bill to be entitled An act relating to controlled substances; amending s. 782.04, F.S.; revising the elements that constitute the capital offense of murder in the first degree; revising the elements that constitute the offense of murder in the third degree and constitute a felony of the second degree; defining the term "substantial factor"; creating s. 893.131, F.S.; defining terms; providing criminal penalties for adults who unlawfully distribute specified substances or mixtures and an injury or overdose of the user results; providing enhanced criminal penalties for repeat offenders; providing applicability and construction; amending s. 921.0022, F.S.; ranking an offense on the offense severity ranking chart of the Criminal Punishment Code; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 280**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 365** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Brodeur—

CS for CS for HB 365—A bill to be entitled An act relating to controlled substances; amending s. 782.04, F.S.; revising the elements that constitute the capital offense of murder in the first degree; revising the elements that constitute the offense of murder in the third degree and constitute a felony of the second degree; defining the term "substantial factor"; creating s. 893.131, F.S.; providing definitions; providing criminal penalties for adults who unlawfully distribute specified substances or mixtures and an overdose or serious bodily injury of the user results; providing enhanced criminal penalties for repeat offenders; providing

construction; providing that specified persons have certain protections from arrest and prosecution; amending s. 921.0022, F.S.; ranking an offense on the offense severity ranking chart of the Criminal Punishment Code; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 280** and read the second time by title.

Senator Rouson moved the following amendment which failed:

Amendment 1 (172718) (with title amendment)—Delete lines 28-188 and insert:
the death of the person killed or any human being; or

2. When committed by a person engaged in the perpetration of, or in the attempt to perpetrate, any:

a. Trafficking offense prohibited by s. 893.135(1),

b. Arson,

c. Sexual battery,

d. Robbery,

e. Burglary,

f. Kidnapping,

g. Escape,

h. Aggravated child abuse,

i. Aggravated abuse of an elderly person or disabled adult,

j. Aircraft piracy,

k. Unlawful throwing, placing, or discharging of a destructive device or bomb,

l. Carjacking,

m. Home-invasion robbery,

n. Aggravated stalking,

o. Murder of another human being,

p. Resisting an officer with violence to his or her person,

q. Aggravated fleeing or eluding with serious bodily injury or death,

r. Felony that is an act of terrorism or is in furtherance of an act of terrorism, including a felony under s. 775.30, s. 775.32, s. 775.33, s. 775.34, or s. 775.35, or

s. Human trafficking;~~or~~

~~3. Which resulted from the unlawful distribution by a person 18 years of age or older of any of the following substances, or mixture containing any of the following substances, when such substance or mixture is proven to be the proximate cause of the death of the user:~~

~~a. A substance controlled under s. 893.03(1);~~

~~b. Cocaine, as described in s. 893.03(2)(a)4;~~

~~c. Opium or any synthetic or natural salt, compound, derivative, or preparation of opium;~~

~~d. Methadone;~~

~~e. Alfentanil, as described in s. 893.03(2)(b)1;~~

~~f. Carfentanil, as described in s. 893.03(2)(b)6;~~

~~g. Fentanyl, as described in s. 893.03(2)(b)9;~~

~~h. Sufentanil, as described in s. 893.03(2)(b)30;~~

~~i. Methamphetamine, as described in s. 893.03(2)(c)5; or~~

~~j. A controlled substance analog, as described in s. 893.0356, of any substance specified in sub-subparagraphs a.-i.,~~

is murder in the first degree and constitutes a capital felony, punishable as provided in s. 775.082.

(4)(a) The unlawful killing of a human being, when perpetrated without any design to effect death, by a person engaged in the perpetration of, or in the attempt to perpetrate, any felony other than any:

- 1.~~(a)~~ Trafficking offense prohibited by s. 893.135(1),
- 2.~~(b)~~ Arson,
- 3.~~(c)~~ Sexual battery,
- 4.~~(d)~~ Robbery,
- 5.~~(e)~~ Burglary,
- 6.~~(f)~~ Kidnapping,
- 7.~~(g)~~ Escape,
- 8.~~(h)~~ Aggravated child abuse,
- 9.~~(i)~~ Aggravated abuse of an elderly person or disabled adult,
- 10.~~(j)~~ Aircraft piracy,
- 11.~~(k)~~ Unlawful throwing, placing, or discharging of a destructive device or bomb,
- ~~(l) Unlawful distribution of any substance listed in sub-subparagraphs (1)(a)2.a.-j. by a person 18 years of age or older, when such substance is proven to be the proximate cause of the death of the user,~~
- 12.~~(m)~~ Carjacking,
- 13.~~(n)~~ Home-invasion robbery,
- 14.~~(o)~~ Aggravated stalking,
- 15.~~(p)~~ Murder of another human being,
- 16.~~(q)~~ Aggravated fleeing or eluding with serious bodily injury or death,
- 17.~~(r)~~ Resisting an officer with violence to his or her person, or
- 18.~~(s)~~ Felony that is an act of terrorism or is in furtherance of an act of terrorism, including a felony under s. 775.30, s. 775.32, s. 775.33, s. 775.34, or s. 775.35, or

(b) The unlawful killing of a human being which resulted from the unlawful distribution by a person 18 years of age or older of any of the following substances, or mixture containing any of the following substances, when such substance or mixture is proven to be the proximate cause of the death of the user:

- a. A substance controlled under s. 893.03(1);
- b. Cocaine, as described in s. 893.03(2)(a)4.;
- c. Opium or any synthetic or natural salt, compound, derivative, or preparation of opium;
- d. Methadone;
- e. Alfentanil, as described in s. 893.03(2)(b)1.;
- f. Carfentanil, as described in s. 893.03(2)(b)6.;
- g. Fentanyl, as described in s. 893.03(2)(b)9.;
- h. Sufentanil, as described in s. 893.03(2)(b)30.;
- i. Methamphetamine, as described in s. 893.03(2)(c)5.; or
- j. A controlled substance analog, as described in s. 893.0356, of any substance specified in sub-subparagraphs a.-i.,

is murder in the third degree and constitutes a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. A person convicted under this paragraph must be sentenced to a mandatory minimum term of imprisonment of 4 years.

(5) As used in this section, the term:

(a) “Substantial factor” means that the use of the substance or mixture alone is sufficient to cause death, regardless of whether any other substance or mixture used is also sufficient to cause death.

(b) “Terrorism” means an activity that:

~~(a)1.a.~~ Involves a violent act or an act dangerous to human life which is a violation of the criminal laws of this state or of the United States; or

~~b.2.~~ Involves a violation of s. 815.06; and

2.~~(b)~~ Is intended to:

~~a.1.~~ Intimidate, injure, or coerce a civilian population;

~~b.2.~~ Influence the policy of a government by intimidation or coercion; or

~~c.3.~~ Affect the conduct of government through destruction of property, assassination, murder, kidnapping, or aircraft piracy.

Section 2. Section 893.131, Florida Statutes, is created to read:

893.131 Distribution of controlled substances resulting in overdose or serious bodily injury.—

(1) As used in this section, the term:

(a) “Distribute” has the same meaning as in s. 893.02, and includes the direct or indirect delivery of a controlled substance to a user.

(b) “Emergency opioid antagonist” has the same meaning as in s. 381.887(1).

(c) “Medical care” means the administration of treatment for the purposes of preserving or sustaining life or the administration of an emergency opioid antagonist.

(d) “Overdose or serious bodily injury” means drug toxicity or a physical condition that creates a substantial risk of death or substantial loss or impairment of the function of any bodily member or organ.

(e) “Substantial factor” means that the use of a substance or mixture alone is sufficient to cause an overdose or serious bodily injury, regardless of whether any other substance or mixture used is also sufficient to cause an overdose or serious bodily injury.

(2)(a) Except as provided in paragraph (b), a person 18 years of age or older who unlawfully distributes:

1. Heroin, as described in s. 893.03(1)(b)11.;
2. Alfentanil, as described in s. 893.03(2)(b)1.;
3. Carfentanil, as described in s. 893.03(2)(b)6.;
4. Fentanyl, as described in s. 893.03(2)(b)9.;
5. Sufentanil, as described in s. 893.03(2)(b)30.;
6. Fentanyl derivatives, as described in s. 893.03(1)(a)62.;
7. A controlled substance analog, as described in s. 893.0356, of any substance specified in subparagraphs 1.-6.; or
8. A mixture containing any substance specified in subparagraphs 1.-7.,

and an overdose or serious bodily injury of the user results, commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, when such substance or mixture is proven to have

caused or been a substantial factor in causing the overdose or serious bodily injury of the user.

(b) *A person 18 years of age or older who commits a violation of paragraph (a) and who has previously been convicted of a violation of paragraph (a) commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.*

(3) *The administration of medical care by an emergency responder, including, but not limited to, a law enforcement officer, a paramedic, or an emergency medical technician is prima facie evidence that the person receiving medical care experienced an overdose or serious bodily injury.*

Section 3. Subsections (1) and (2) of section 893.21, Florida Statutes, is amended to read:

893.21 Alcohol-related or drug-related overdoses; medical assistance; immunity from arrest, charge, prosecution, and penalization.—

(1) A person acting in good faith who seeks medical assistance for an individual experiencing, or believed to be experiencing, an alcohol-related or a drug-related overdose may not be arrested, charged, prosecuted, or penalized for a violation of s. 782.04(4)(b); s. 893.131; s. 893.147(1) or s. 893.13(6), excluding paragraph (c), if the evidence for such offense was obtained as a result of the person's seeking medical assistance.

(2) A person who experiences, or has a good faith belief that he or she is experiencing, an alcohol-related or a drug-related overdose and is in need of medical assistance may not be arrested, charged, prosecuted, or penalized for a violation of s. 782.04(4)(b); s. 893.131; s. 893.147(1) or s. 893.13(6), excluding paragraph (c), if the evidence for such offense was obtained as a result of the person's seeking medical assistance.

And the title is amended as follows:

Delete lines 7-15 and insert: the second degree; requiring mandatory minimum terms of imprisonment for specified convictions; defining the term "substantial factor"; creating s. 893.131, F.S.; providing definitions; providing criminal penalties for adults who unlawfully distribute specified substances or mixtures and an overdose or serious bodily injury of the user results; providing enhanced criminal penalties for repeat offenders; providing construction; amending s. 893.21, F.S.; providing that specified persons have certain protections from arrest and prosecution under specified circumstances;

On motion by Senator Brodeur, by two-thirds vote, **CS for CS for HB 365** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—31

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

Nays—6

Berman	Osgood	Powell
Garcia	Polsky	Thompson

Vote after roll call:

Yea—Grall

CS for SB 366—A bill to be entitled An act relating to dental services for indigent veterans; creating s. 295.157, F.S.; providing legislative findings and intent; defining terms; establishing the Veterans Dental

Care Grant Program within the Department of Veterans' Affairs; specifying the purpose of the program; requiring the department to contract with a direct-support organization to administer the program; requiring the department to use a specified standard for determining indigency; requiring the department to adopt rules; providing that program funding is subject to legislative appropriation; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 366**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 635** was withdrawn from the Committee on Appropriations.

On motion by Senator Burgess—

CS for HB 635—A bill to be entitled An act relating to dental services for veterans; creating s. 295.157, F.S.; providing legislative findings and intent; defining terms; establishing the Veterans Dental Care Grant Program in the Department of Veterans' Affairs; specifying the purpose of the program; requiring the department to contract with a direct-support organization to administer the program; requiring the department to adopt rules; providing that program funding is subject to legislative appropriation; providing an effective date.

—a companion measure, was substituted for **CS for SB 366** and read the second time by title.

On motion by Senator Burgess, by two-thirds vote, **CS for HB 635** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Grall

CS for SB 398—A bill to be entitled An act relating to limitation of actions involving real estate appraisers and appraisal management companies; creating s. 95.371, F.S.; defining terms; specifying statutes of limitations periods for certain actions involving real estate appraisers and appraisal management companies; providing construction; providing applicability; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 398**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 213** was withdrawn from the Committee on Rules.

On motion by Senator Rodriguez—

CS for CS for HB 213—A bill to be entitled An act relating to limitation of actions involving real estate appraisers and appraisal management companies; creating s. 95.371, F.S.; defining terms; specifying statutes of limitations periods for certain actions involving real estate appraisers and appraisal management companies; providing construction; providing applicability; providing an effective date.

—a companion measure, was substituted for **CS for SB 398** and read the second time by title.

On motion by Senator Rodriguez, by two-thirds vote, **CS for CS for HB 213** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Grall, Martin

CS for CS for SB 452—A bill to be entitled An act relating to home health aides for medically fragile children; amending s. 400.462, F.S.; defining terms; amending s. 400.464, F.S.; requiring home health agencies to ensure that any delegation of tasks to home health aides for medically fragile children meets specified requirements; amending s. 400.476, F.S.; requiring home health agencies to ensure that home health aides for medically fragile children employed by or under contract with the home health agency are adequately trained to perform the tasks that will be delegated to them; exempting certain individuals from costs associated with specified training; creating s. 400.4765, F.S.; establishing the home health aides for medically fragile children program for specified purposes; requiring the Agency for Health Care Administration, in consultation with the Board of Nursing, to approve training programs for home health aides for medically fragile children; specifying minimum requirements for the training programs; authorizing home health agencies to employ certain persons as home health aides for medically fragile children if they meet specified criteria; requiring home health aides for medically fragile children to complete an approved training program again under certain circumstances; requiring home health aides for medically fragile children to complete additional training in HIV/AIDS and maintain a current certificate in cardiopulmonary resuscitation; requiring home health agencies to ensure that home health aides for medically fragile children whom they employ complete certain inservice training during each 12-month period as a condition of employment; providing that certain training may count toward meeting the inservice training requirement; requiring home health agencies to maintain documentation demonstrating compliance with such training requirements; exempting home health agencies from civil and monetary liability for terminating or denying employment to a home health aide for medically fragile children under certain circumstances; extending the exemption to certain agents of the home health agencies; prohibiting home health agencies and their agents from using certain criminal records or juvenile records other than for a specified purpose; requiring the agency to maintain the confidentiality of certain confidential and exempt records; providing that services provided by a home health aide for medically fragile children reduce an eligible relative's private duty nursing hours; providing that such services may not be provided concurrently; authorizing the agency, in consultation with the board, to adopt rules; amending s. 400.489, F.S.; authorizing home health aides for medically fragile children to administer certain medications under certain circumstances; requiring such home health aides for medically fragile children to complete additional inservice training annually to continue administering such medications; requiring the agency, in consultation with the board, to establish certain standards and procedures by rule for home health aides for medically fragile children who administer medications to patients; amending s.

400.490, F.S.; authorizing home health aides for medically fragile children to perform certain tasks delegated by a registered nurse; creating s. 400.54, F.S.; requiring the agency to conduct an annual assessment of the home health aides for medically fragile children program; specifying requirements for the assessment; requiring the agency to annually submit a report to the Governor and the Legislature by a specified date, beginning on a specified date; directing the agency to modify any state Medicaid plans and implement any federal waivers necessary to implement the act; directing the agency to establish a certain Medicaid fee schedule at a specified rate and subject to a specified utilization cap; amending ss. 768.38 and 768.381, F.S.; conforming cross-references; providing appropriations and authorizing positions; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 452**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 391** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Harrell—

CS for CS for CS for HB 391—A bill to be entitled An act relating to home health aides for medically fragile children; amending s. 400.462, F.S.; providing definitions; amending s. 400.464, F.S.; requiring home health agencies to ensure that any tasks delegated to home health aides for medically fragile children meet specified requirements; amending s. 400.476, F.S.; requiring that home health aides for medically fragile children employed by or under contract with home health agencies be adequately trained to perform delegated tasks; providing certain individuals an exemption from costs associated with specified training; creating s. 400.4765, F.S.; providing legislative findings and intent; providing requirements for a family caregiver to be employed as a home health aide for medically fragile children; requiring the Agency for Health Care Administration, in consultation with the Board of Nursing, to develop a home health aide for medically fragile children training programs; providing requirements for the program; requiring home health aides for medically fragile children to complete inservice training as a condition of employment; requiring home health aides for medically fragile children to maintain documentation demonstrating compliance with such training requirements; exempting home health agencies from civil liability for terminating or denying employment to a home health aide for medically fragile children under certain circumstances; extending the exemption to certain agents of the home health agencies; prohibiting home health agencies or their agents from using certain criminal records or juvenile records other than for a specified purpose; requiring the agency to maintain confidentiality of certain confidential and exempt records; providing requirements for services provided by a home health aide for medically fragile children; authorizing the agency, in consultation with the board, to adopt rules to implement the act; requiring the agency to modify any state Medicaid plans and implement any federal waivers necessary to implement this act and establish a specified Medicaid fee schedule for home health agencies employing a home health aide for medically fragile children; ss. 400.489 and 400.490, F.S.; conforming provisions to changes made by the act; amending; creating s. 400.54, F.S.; requiring the Agency for Health Care Administration to conduct an annual assessment related to the certified health aide program; providing requirements for the assessment; requiring the agency to submit a report to the Governor and the Legislature annually, by and beginning on a specified date; amending s. 408.822, F.S.; conforming a provision to changes made by the act; amending s. 464.0156, F.S.; conforming provisions to changes made by the act; providing appropriations; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 452** and read the second time by title.

On motion by Senator Harrell, by two-thirds vote, **CS for CS for CS for HB 391** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

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

Calatayud	Jones	Simon
Collins	Mayfield	Stewart
Davis	Osgood	Thompson
DiCeglie	Perry	Torres
Garcia	Pizzo	Trumbull
Gruters	Polsky	Wright
Harrell	Powell	Yarborough
Hooper	Rodriguez	
Ingolia	Rouson	

Nays—None

Vote after roll call:

Yea—Grall, Martin

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

—was read the second time by title.

Pending further consideration of **CS for SB 496**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 329** was withdrawn from the Committee on Rules.

On motion by Senator Burgess—

CS for HB 329—A bill to be entitled An act relating to electronic monitoring of persons charged with or convicted of offenses involving schools or students; amending s. 907.041, F.S.; providing a definition; requiring a court to consider electronic monitoring and location restrictions as conditions of pretrial release for persons charged with certain offenses against schools or students; creating s. 948.301, F.S.; providing a definition; requiring a court to consider electronic monitoring and location restrictions as conditions of probation or community control for persons charged with certain offenses against schools or students; amending s. 790.065, F.S.; correcting a cross-reference; providing an effective date.

—a companion measure, was substituted for **CS for SB 496** and read the second time by title.

On motion by Senator Burgess, by two-thirds vote, **CS for HB 329** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Grall, Martin

CS for CS for SB 504—A bill to be entitled An act relating to expunction of criminal history records; reenacting and amending s. 943.0585, F.S.; revising an eligibility criterion under which a person is eligible to petition a court to expunge a criminal history record if an indictment, information, or other charging document was dismissed by a court; expanding an exception to an eligibility requirement for expunction of a criminal history record to allow a prior expunction of a criminal history record granted for an offense committed when the person was a minor; providing applicability; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 504**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 605** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Rodriguez—

CS for HB 605—A bill to be entitled An act relating to expunction of criminal history records; reenacting and amending s. 943.0585, F.S.; revising an eligibility criterion under which a person is eligible to petition a court to expunge a criminal history record if an indictment, information, or other charging document was dismissed by a court; expanding an exception to an eligibility requirement for expunction of a criminal history record to allow a prior expunction of a criminal history record granted for an offense committed when the person was a minor; providing applicability; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 504** and read the second time by title.

On motion by Senator Rodriguez, by two-thirds vote, **CS for HB 605** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Grall, Martin

SB 514—A bill to be entitled An act relating to private instructional personnel; amending s. 1003.572, F.S.; revising the definition of the term “private instructional personnel” to include registered behavioral technicians employed by certain providers; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 514**, pursuant to Rule 3.11(3), there being no objection, **HB 795** was withdrawn from the Committee on Rules.

On motion by Senator Hooper—

HB 795—A bill to be entitled An act relating to private instructional personnel; amending s. 1003.572, F.S.; revising the definition of the term “private instructional personnel” to include registered behavioral technicians employed by certain providers; providing an effective date.

—a companion measure, was substituted for **SB 514** and read the second time by title.

On motion by Senator Hooper, by two-thirds vote, **HB 795** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Grall

SB 568—A bill to be entitled An act relating to assault or battery on hospital personnel; amending s. 784.07, F.S.; defining the term “hospital personnel”; providing enhanced criminal penalties for persons who knowingly commit assault or battery upon hospital personnel; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 568**, pursuant to Rule 3.11(3), there being no objection, **HB 825** was withdrawn from the Committee on Rules.

On motion by Senator Rodriguez—

HB 825—A bill to be entitled An act relating to assault or battery on hospital personnel; amending s. 784.07, F.S.; defining the term “hospital personnel”; providing for the reclassification of certain offenses committed against hospital personnel while engaged in the performance of their duties; providing an effective date.

—a companion measure, was substituted for **SB 568** and read the second time by title.

On motion by Senator Rodriguez, by two-thirds vote, **HB 825** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—1

Powell

Vote after roll call:

Nay—Grall

CS for CS for CS for SB 1250—A bill to be entitled An act relating to the Department of Transportation; amending s. 206.46, F.S.; increasing the maximum amount of debt service coverage that must be transferred from the State Transportation Trust Fund to the Right-of-Way Acquisition and Bridge Construction Trust Fund; amending s. 215.616, F.S.; increasing the maximum term of state bonds for federal aid highway construction; amending s. 288.9606, F.S.; providing construction regarding the proceeds of bonds of the Florida Development Finance Corporation; revising purposes for which the corporation may, without certain authorization from a public agency, issue revenue bonds or other evidence of indebtedness; amending s. 311.101, F.S.; authorizing the department to provide up to 100 percent of project costs for certain eligible projects in rural areas of opportunity; amending s. 316.0777, F.S.; defining the term “law enforcement agency”; authorizing installation of an automated license plate recognition system within the right-of-way of any road on the State Highway System for a specified purpose; providing that such installations are solely within the department’s discretion and must be in accordance with placement and installation guidelines developed by the department; prohibiting use of an automated license plate recognition system to issue a notice of violation or a traffic citation; requiring removal of such a system within a specified timeframe at the expense of the requesting law enforcement agency upon notification by the department; providing that the department is not liable for any damages resulting from the requesting law enforcement agency’s operation of such a system; providing for a maximum period of retention of certain records generated through the use of an automated license plate recognition system; amending s. 330.30, F.S.; prohibiting the department from requiring an applicant to provide a written memorandum of understanding or letter of agreement with other airport sites regarding air traffic pattern separation procedures under certain circumstances; providing exceptions; amending s. 332.007, F.S.; authorizing the department, subject to the availability of appropriated funds, to fund up to 100 percent of eligible project costs of certain projects at specified publicly owned, publicly operated airports with no scheduled commercial service; providing prioritization criteria; providing for allocation of any remaining funds; amending s. 334.044, F.S.; revising the department’s powers and duties; amending s. 337.025, F.S.; increasing the annual cap on contracts that the department may enter into for innovative transportation projects; revising exceptions to such cap; amending s. 337.11, F.S.; increasing the maximum cost of contracts for construction and maintenance which the department may enter into without advertising and receiving competitive bids; revising requirements for design-build contracts; authorizing the department to enter into phased design-build contracts under certain circumstances; providing requirements for design-build and phased design-build contracts; requiring the department to adopt rules for administering phased design-build contracts; amending s. 339.175, F.S.; abolishing the Chairs Coordinating Committee; requiring metropolitan planning organizations serving specified counties to submit a certain feasibility report by a specified date, with certain goals; amending s. 341.052, F.S.; requiring that public transportation development plans of eligible providers of public transit block grants be consistent with the long-range transportation plans of the metropolitan planning area in which the providers are located; amending s. 341.061, F.S.; requiring the department to adopt by rule minimum safety standards for certain fixed-guideway transportation systems; requiring the department to conduct certain structural inspections and follow certain safety protocols during such inspections; amending s. 341.071, F.S.; revising requirements of annual public transit provider reports; requiring each public transit provider to publish on its website, rather than in the local newspaper, certain performance measures; repealing part IV of ch. 348, F.S., relating to the Santa Rosa Bay Bridge Authority; transferring the governance and control of the Santa Rosa Bay Bridge Authority to the department; transferring the remaining assets, facilities, property, and property rights of the authority to the department; providing that the department succeeds to all powers of the authority; authorizing the department to review other contracts, financial obligations, and contractual obligations and liabilities of the authority and to assume legal liability for such obligations determined by the department to be necessary for the continued operation of the bridge system; authorizing the department to transfer the bridge system, or any portion thereof, to become part of the turnpike system; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 1250**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 1305** was withdrawn from the Committee on Fiscal Policy.

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

CS for CS for CS for HB 1305—A bill to be entitled An act relating to the Department of Transportation; amending s. 206.46, F.S.; increasing the maximum amount of debt service coverage that may be transferred from the State Transportation Trust Fund to the Right-of-Way Acquisition and Bridge Construction Trust Fund; amending s. 215.616, F.S., increasing the maximum term of state bonds for federal aid highway construction; amending s. 288.9606, F.S.; authorizing Florida Development Finance Corporation revenue bonds to finance acquisition or construction of certain transportation facilities; amending s. 311.101, F.S.; authorizing the department to provide up to 100 percent of project costs for certain eligible projects in rural areas of opportunity; amending s. 316.0777, F.S.; defining the term “law enforcement agency”; authorizing installation of an automated license plate recognition system within the right-of-way of a road on the State Highway System for a specified purpose; prohibiting use of such system for certain purposes; requiring such installation to be in accordance with placement and installation guidelines developed by the department; requiring removal of such system within a specified timeframe upon notification by the department; exempting the department from liability for damages resulting from operation of such system; providing for a maximum period of retention of certain records generated through the use of such system; amending s. 330.27, F.S.; revising the definition of the term “temporary airport”; amending s. 330.30, F.S.; requiring certain documentation to be submitted to the Department of Transportation for temporary airport site approval and temporary airport registration; requiring a temporary airport to obtain registration before operation of aircraft to or from the airport; prohibiting the department from requiring that an applicant for airport site approval provide a written memorandum of understanding or letter of agreement with other airport sites except under specified circumstances; requiring the department to publish certain notice of receipt of a temporary airport registration application; specifying the period during which such application may be approved or denied; requiring the department to issue registration concurrent with site approval; providing that certain registrations are considered approved under specified conditions; requiring written notice to the department’s agency clerk before an applicant takes action based on such default registration; removing a condition for licensure or registration as a temporary airport; prohibiting approval of subsequent registration applications under certain circumstances; revising an exemption from certain provisions for an airport used for aerial application or spraying of crops; amending s. 332.007, F.S.; authorizing the department, subject to the availability of appropriated funds, to fund up to 100 percent of eligible project costs of certain projects at specified publicly owned, publicly operated airports with no scheduled commercial service; providing prioritization criteria; providing for allocation of any remaining funds; amending s. 334.044, F.S.; authorizing the department to purchase certain promotional items; authorizing the department to expend funds for certain training, testing, and licensing; amending s. 337.025, F.S.; revising the annual cap for contracts awarded for specified purposes; deleting the exemption from such cap for low-bid design-build milling and resurfacing contracts; amending s. 337.11, F.S.; revising the amount of construction and maintenance contracts the department may enter into without advertising and receiving competitive bids; revising requirements for design-build contracts; authorizing the department to enter into phased design-build contracts under certain circumstances; providing requirements for phased design-build contracts; requiring the department to adopt rules for administering phased design-build contracts; amending s. 339.175, F.S.; abolishing the Chairs Coordinating Committee; requiring metropolitan planning organizations serving specified counties to submit a certain feasibility report by a specified date, with certain goals; amending s. 341.052, F.S.; requiring public transit block grant program providers to establish plans consistent with certain long-range transportation plans; amending s. 341.071, F.S.; revising requirements for public transit provider reports and publication thereof; transferring control of the Santa Rosa Bay Bridge Authority to the department; transferring all remaining assets, rights, powers, and duties of the authority to the department; authorizing the department to transfer all or a portion of the bridge system to the turnpike system; repealing part IV of ch. 348, F.S., relating to the creation and operation of the Santa

Rosa Bay Bridge Authority; reestablishing the Greater Miami Expressway Agency; amending s. 348.0301, F.S.; revising a short title; repealing s. 348.0302, F.S., relating to applicability; amending s. 348.0303, F.S.; deleting the term “county”; revising the definition of the term “expressway system”; defining the term “Miami-Dade County Expressway Authority”; creating s. 348.03031, F.S.; providing legislative findings and intent; amending s. 348.0304, F.S.; revising the area served by the agency to include specified portions of Monroe County; revising requirements for membership of the agency’s governing body; revising requirements for initial appointments; amending s. 348.0306, F.S.; authorizing, rather than requiring, the agency to construct expressways; conforming provisions to changes made by the act; amending s. 348.0309, F.S.; conforming a provision to changes made by the act; amending s. 348.0315, F.S.; revising the date by which, and the entities to which, the agency must begin submitting certain annual reports relating to tolls; amending s. 348.0318, F.S.; conforming a provision to changes made by the act; amending s. 189.072, F.S.; providing applicability; providing a directive to the Division of Law Revision; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 1250** and read the second time by title.

Senator DiCeglie moved the following amendment:

Amendment 1 (809834) (with title amendment)—Between lines 576 and 577 insert:

Section 14. Paragraph (a) of subsection (1) of section 341.061, Florida Statutes, is amended to read:

341.061 Transit safety standards; inspections and system safety reviews.—

(1)(a) The department shall adopt by rule minimum safety standards for governmentally owned fixed-guideway transportation systems, ~~and~~ privately owned or operated fixed-guideway transportation systems operating in this state which are financed wholly or partly by state funds, *and any governmentally or privately owned fixed-guideway transportation systems operating in this state which are located within an independent special district created by local act which have boundaries within two contiguous counties.* Standards must be site-specific for fixed-guideway transportation systems and shall be developed jointly by the department and representatives of the affected systems, giving full consideration to nationwide industry safety norms relating to the development and operation of fixed-guideway transportation systems. *The department shall conduct structural safety inspections in adherence with s. 335.074 for any fixed-guideway transportation systems that are raised or have bridges, as appropriate. Inspectors shall follow departmental safety protocols during safety inspections, including requiring the suspension of system service to ensure the safety and welfare of inspectors and the traveling public during such inspections.*

And the title is amended as follows:

Delete line 86 and insert: transportation plans; amending s. 341.061, F.S.; requiring the department to adopt by rule minimum safety standards for certain fixed-guideway transportation systems; requiring the department to conduct certain structural inspections and follow certain safety protocols during such inspections; amending s. 341.071, F.S.;

Senator Stewart moved the following amendment to **Amendment 1 (809834)** which failed:

Amendment 1A (571742) (with title amendment)—Delete lines 5-29.

And the title is amended as follows:

Delete lines 35-40 and insert: transportation plans;

Amendment 1 (809834) was adopted.

Senator Avila moved the following amendment:

Amendment 2 (441338) (with title amendment)—Delete lines 688-711 and insert:
subsections (1) through (5) of section 348.0304, Florida Statutes, are

redesignated as subsections (2) through (6), respectively, a new subsection (1) is added to that section, and present subsections (1) and (2) of that section are amended, to read:

348.0304 Greater Miami Expressway Agency.—

(1) *It is the intent of the Legislature that the Greater Miami Expressway Agency prioritizes the best interests of the toll payers of South Florida.*

(2)(~~1~~) There is hereby created and established a body politic and corporate, an agency of the state, to be known as the “Greater Miami Expressway Agency.” *The agency shall serve the area within the geographical boundaries of Miami-Dade County and the portion of north-east Monroe County including County Road 94 and the portion of Monroe County bounded on the north and east by the borders of Monroe County and on the south and west by County Road 94.*

(3)(a)(~~2~~)(~~a~~) The governing body of the agency shall consist of nine voting members. Except for the district secretary of the department, each member must be a permanent resident of ~~a~~ ~~the~~ county served by the agency and may not hold, or have held in the previous 2 years, elected or appointed office in ~~such~~ ~~the~~ county, ~~except that this paragraph does not apply to any initial appointment under paragraph (b) or to any member who previously served on the governing body of the former Greater Miami Expressway Agency.~~ Each member may only serve two terms of 4 years each, ~~except that there is no restriction on the term of the department's district secretary.~~ Four members, ~~each of whom must be a permanent resident of Miami-Dade County,~~ shall be appointed by the Governor, ~~subject to confirmation by the Senate at the next regular session of the Legislature. Refusal or failure of the Senate to confirm an appointment shall create a vacancy one of whom must be a member of the metropolitan planning organization for the County.~~ Appointments made by the Governor and board of county commissioners of Miami-Dade County shall reflect the state's interests in the transportation sector and represent the intent, duties, and purpose of the Greater Miami Expressway Agency, and have at least 3 years of professional experience in one or more of the following areas: finance; land use planning; tolling industry; or transportation engineering.

And the title is amended as follows:

Delete line 104 and insert: amending s. 348.0304, F.S.; providing legislative intent; revising the area served

Senator Jones moved the following amendment to **Amendment 2 (441338)** which failed:

Amendment 2A (512014) (with title amendment)—

Delete lines 3-45 and insert:

Delete lines 621-873 and insert:

Section 17. (1) *The Florida Transportation Commission shall conduct a study on the complexities of implementing s. 348.0304, Florida Statutes. The study must include, but is not limited to, all of the following:*

(a) *A complete financial analysis of the Miami-Dade County Expressway Authority which includes the fair market value of the expressway system as of November 30, 2024.*

(b) *A legal analysis of the impacts of a change in the ownership or control of the roads in the Miami-Dade County Expressway Authority system on the existing outstanding bonds and trust indenture.*

(c) *An evaluation of Monroe County road conditions; the future costs of any improvements needed to Monroe County roads, including the amount of toll revenues needed to cover such improvements; and the impact of adding a federally owned road into the expressway system.*

(d) *A legal and financial analysis on the transfer agreement dated December 10, 1996, entered into by the department and the Miami-Dade County Expressway Authority.*

(e) *An analysis of the projected impacts of any change in ownership or control of the roads in the expressway system on current construction*

projects and on the Department of Transportation's 5-year work program.

(2) *The Florida Transportation Commission shall submit the study to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 31, 2024.*

And the title is amended as follows:

Delete lines 49-52 and insert: Delete lines 96 - 119 and insert: Authority; requiring the Florida Transportation Commission to conduct a certain study; specifying the requirements of such study; requiring the Florida Transportation Commission to submit the study to the Governor and the Legislature by a specified date; providing

SENATOR BAXLEY PRESIDING

Amendment 2 (441338) was adopted.

THE PRESIDENT PRESIDING

On motion by Senator DiCeglie, by two-thirds vote, **CS for CS for CS for HB 1305**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—26

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

Nays—14

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

CS for CS for SB 620—A bill to be entitled An act relating to ethics requirements for officers and employees of special tax districts; amending s. 112.313, F.S.; specifying that certain conduct by certain public officers and employees is deemed a conflict of interest; making technical changes; amending s. 112.3142, F.S.; requiring certain ethics training for elected local officers of independent special districts, beginning on a specified date; specifying requirements for such training; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 620**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 199** was withdrawn from the Committee on Rules.

On motion by Senator DiCeglie—

CS for HB 199—A bill to be entitled An act relating to ethics requirements for officers and employees of special tax districts; amending s. 112.313, F.S.; specifying that certain conduct by certain public officers and employees is deemed a conflict of interest; making technical changes; amending s. 112.3142, F.S.; requiring certain ethics training for elected local officers of independent special districts beginning on a specified date; specifying requirements for such training; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 620** and read the second time by title.

On motion by Senator DiCeglie, by two-thirds vote, **CS for HB 199** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

SPECIAL GUESTS

Senator DiCeglie recognized Representative Christine Hunschofsky who was present in the chamber in support of CS for CS for SB 620/CS for HB 199, related to Ethics Requirements for Officers and Employees of Special Tax Districts.

CS for SB 704—A bill to be entitled An act relating to opioid abatement; amending s. 381.887, F.S.; revising definitions; revising the types of delivery systems a pharmacist may order or use to dispense an emergency opioid antagonist; creating s. 397.335, F.S.; establishing the Statewide Council on Opioid Abatement within the Department of Children and Families; providing the purpose of the council; providing for membership, organization and support, and duties of the council; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 704**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 783** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Boyd—

CS for CS for HB 783—A bill to be entitled An act relating to emergency opioid antagonists; amending s. 381.887, F.S.; revising definitions; revising the types of delivery systems a pharmacist may order or use to dispense an emergency opioid antagonist; creating s. 397.335, F.S.; establishing the Statewide Council on Opioid Abatement within the Department of Children and Families; providing for purpose of the council; providing for membership, organization and support, and duties of the council; providing an effective date.

—a companion measure, was substituted for **CS for SB 704** and read the second time by title.

Senator Boyd moved the following amendment which was adopted:

Amendment 1 (542946) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraphs (b) and (c) of subsection (1) and paragraphs (a) and (b) of subsection (3) of section 381.887, Florida Statutes, are amended to read:

381.887 Emergency treatment for suspected opioid overdose.—

(1) As used in this section, the term:

(b) “Authorized health care practitioner” means a licensed practitioner authorized by the laws of this state to prescribe or dispense drugs.

(c) “Caregiver” means a family member, friend, or person in a position to have recurring contact with a person at risk of experiencing an opioid overdose.

(3)(a) An authorized health care practitioner may prescribe and dispense an emergency opioid antagonist to, and a pharmacist may order an emergency opioid antagonist with an autoinjection delivery system, a prefilled injection device delivery system, or an intranasal application delivery system for, a patient or caregiver for use in accordance with this section.

(b) A pharmacist may dispense an emergency opioid antagonist pursuant to a prescription by an authorized health care practitioner. A pharmacist may dispense an emergency opioid antagonist with an autoinjection delivery system, a prefilled injection device delivery system, or an intranasal application delivery system, which must be appropriately labeled with instructions for use, pursuant to a pharmacist’s order or pursuant to a nonpatient-specific standing order.

Section 2. Section 397.335, Florida Statutes, is created to read:

397.335 *Statewide Council on Opioid Abatement.*—

(1) *ESTABLISHMENT.*—The Statewide Council on Opioid Abatement, an advisory council as defined in s. 20.03(7), is created within the department for the purpose of enhancing the development and coordination of state and local efforts to abate the opioid epidemic and to support the victims and families of the crisis.

(2) *MEMBERSHIP.*—

(a) Notwithstanding s. 20.052, the council shall be composed of the following members:

1. The Attorney General, or his or her designee, who shall serve as chair.
2. The secretary of the department, or his or her designee, who shall serve as vice chair.
3. One member appointed by the Governor.
4. One member appointed by the President of the Senate.
5. One member appointed by the Speaker of the House of Representatives.
6. Two members appointed by the Florida League of Cities who are commissioners or mayors of municipalities. One member shall be from a municipality with a population of fewer than 50,000 people.
7. Two members appointed by or through the Florida Association of Counties who are county commissioners or mayors. One member shall be appointed from a county with a population of fewer than 200,000, and one member shall be appointed from a county with a population of more than 200,000.
8. One member who is either a county commissioner or county mayor appointed by the Florida Association of Counties or who is a commissioner or mayor of a municipality appointed by the Florida League of Cities. The Florida Association of Counties shall appoint such member for the initial term, and future appointments must alternate between a member appointed by the Florida League of Cities and a member appointed by the Florida Association of Counties.

(b) Each member shall serve a 2-year term. Any vacancy shall be filled in the same manner as the original appointment for the remainder of the unexpired term.

(c) A member may not receive a commission, fee, or financial benefit in connection with serving on the council. Council members may be reimbursed for per diem and travel expenses in accordance with s. 112.061 by the state agency that the member represents. If the member is not affiliated with a state agency, the member shall be reimbursed by the department.

(3) *ORGANIZATION AND SUPPORT.*—

(a) The first meeting of the council must be held by August 31, 2023.

(b) *The council shall meet quarterly and upon the call of the chair or two other members. Meetings of the council may take place in person or through electronic transmission using communications media technology as described in s. 120.54(5)(b)2.*

(c) *A majority of the members of the council shall constitute a quorum.*

(d) *The department and the Department of Legal Affairs shall provide the council with staff necessary to assist the council in the performance of its duties.*

(e) *The council may apply for and accept funds, grants, gifts, and services from the state, the Federal Government or any of its agencies, or any other public or private source for the purposes of defraying costs or performing its duties.*

(f) *All members shall adhere to all applicable general law, rules, and regulations, including, but not limited to, s. 112.311, concerning the disclosure of conflicts of interest and recusal from discussions or votes on conflicted matters.*

(4) *DUTIES.—*

(a) *The council shall advise the state and local governments on resolving or abating the opioid epidemic and review how settlement moneys recovered from the opioid litigation brought by the state and its subdivisions have been spent and the results that have been achieved from those expenditures.*

(b) *The council shall work with, provide information to, and receive information from the Statewide Drug Policy Advisory Council and ensure that its recommendations and actions are consistent with that council's recommendations to the extent possible.*

(c) *The council shall review data from local, state, and national agencies, both on a regional and a statewide basis, to advise state and local governments on the status, severity, and stage of the opioid epidemic.*

(d) *The council shall review data from local governments, other states, and national agencies regarding how moneys are being spent to abate the opioid epidemic, the success of such programs, and the appropriate metrics needed to assess the epidemic and progress in abating it.*

(e) *By June 30 of each year, each county, municipality, managing entity, or state agency that receives settlement funds from an opioid settlement shall provide information to the council related to how it intends to use settlement funds and how it intends to collect data regarding its use of funds.*

(f) *By August 31 of each year, each county, municipality, managing entity, or state agency that receives settlement funds from an opioid settlement must provide information to the council related to its expenditure of settlement funds and the results obtained from those expenditures.*

(g) *The council shall develop and recommend metrics, measures, or datasets to assess the progress and success of programs funded by expenditures of opioid settlement funds. The council must attempt to keep such metrics, measures, or datasets consistent with those used by the state with managing entities, as well as any metrics, measures, or datasets required by the Substance Abuse and Mental Health Services Administration of the United States Department of Health and Human Services in connection with any grants received by the state. Upon request of the council, a county, municipality, managing entity, or state agency must provide the council data or information required to develop such metrics, measures, or datasets.*

(h) *The council, with assistance and support of the department, shall provide a system of documentation and reporting in accordance with the requirements of federal agencies and any other agencies providing funding to the state, including auditing expenditures consistent with any requirements imposed by the Legislature.*

(i) *By December 1, 2023, and annually thereafter, the council shall provide and publish an annual report. The report shall contain information on how settlement moneys were spent the previous fiscal year*

by the state, each of the managing entities, and each of the counties and municipalities. The report shall also contain recommendations to the Governor, the Legislature, and local governments for how moneys should be prioritized and spent the coming fiscal year to respond to the opioid epidemic.

(j) *The report shall be posted on the websites of the department and the Department of Legal Affairs.*

Section 3. Section 1004.0971, Florida Statutes, is created to read:

1004.0971 Emergency opioid antagonists in Florida College System institution and state university housing.—

(1) *As used in this section, the term:*

(a) *“Administer” or “administration” means to introduce an emergency opioid antagonist into the body of a person.*

(b) *“Emergency opioid antagonist” means naloxone hydrochloride or any similarly acting drug that blocks the effects of opioids administered from outside the body and that is approved by the United States Food and Drug Administration for the treatment of an opioid overdose.*

(c) *“Institution” means a Florida College System institution or state university.*

(2) *Each institution must have a supply of emergency opioid antagonists with an autoinjection or intranasal application delivery system in each residence hall or dormitory residence owned or operated by the institution for the administration of emergency opioid antagonists to a person believed to be experiencing an opioid overdose.*

(3) *Each institution must place the emergency opioid antagonists in a clearly marked location within each residence hall or dormitory residence. The emergency opioid antagonist must be easily accessible to campus law enforcement officers who are trained in the administration of emergency opioid antagonists.*

(4) *Public and private partnerships are encouraged to cover the cost associated with the purchase and placement of such emergency opioid antagonists.*

(5) *Notwithstanding any other provision of law to the contrary, any campus law enforcement officer trained in the administration of emergency opioid antagonists who administers or attempts to administer an emergency opioid antagonist in compliance with ss. 381.887 and 768.13, and the institution that employs such officer, are immune from civil or criminal liability as a result of such administration or attempted administration of an emergency opioid antagonist.*

(6) *The State Board of Education and the Board of Governors shall adopt rules and regulations, respectively, to administer this section in cooperation with the Department of Health.*

Section 4. 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 opioid abatement; amending s. 381.887, F.S.; revising definitions; revising the types of delivery systems a pharmacist may order or use to dispense an emergency opioid antagonist; creating s. 397.335, F.S.; establishing the Statewide Council on Opioid Abatement within the Department of Children and Families; providing the purpose of the council; providing for membership, organization and support, and duties of the council; creating s. 1004.0971, F.S.; providing definitions; requiring each Florida College System institution and state university to have a supply of emergency opioid antagonists in certain residence halls or dormitory residences; providing requirements for the placement and accessibility of emergency opioid antagonists; encouraging public and private partnerships to cover the costs of such emergency opioid antagonists; providing specified campus law enforcement and Florida College System institutions and state universities immunity from liability for the administration or attempted administration of emergency opioid antagonists under certain circumstances; requiring the State Board of Education and the Board of Governors to adopt rules and regulations, respectively, in cooperation with the Department of Health; providing an effective date.

On motion by Senator Boyd, by two-thirds vote, **CS for CS for HB 783**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

CS for CS for CS for SB 712—A bill to be entitled An act relating to motor vehicle sales; amending s. 320.60, F.S.; revising and providing definitions; amending s. 320.605, F.S.; revising legislative intent; amending s. 320.64, F.S.; prohibiting an applicant or a licensee from certain actions in the allocation or distribution of motor vehicles to franchised motor vehicle dealers; revising the definition of the term “unfair”; prohibiting applicants and licensees from engaging in certain activities; authorizing an applicant or a licensee, or a common entity thereof, to sell or activate certain motor vehicle features or improvements through remote electronic transmission; providing for a payment of the percentage of such sale or activation to a motor vehicle dealer within a certain timeframe; providing applicability; amending s. 320.642, F.S.; conforming cross-references; amending s. 320.645, F.S.; revising provisions prohibiting specified entities from owning, operating, or controlling a motor vehicle dealership in this state; specifying when certain licenses may be and are prohibited from being issued; revising exceptions to certain prohibitions on licensees; providing applicability; making technical changes; deleting the definition of the term “independent person”; conforming cross-references; prohibiting a distributor or affiliate thereof from receiving a certain license under certain circumstances; amending s. 320.67, F.S.; requiring the Department of Highway Safety and Motor Vehicles to conduct an inquiry relating to certain written complaints; providing purposes of the department’s use of a subpoena; requiring the department to commence the inquiry within a certain timeframe; authorizing the department to allow a written response to the complaint; requiring the department to provide a certain written response to the complainant within a certain date; requiring the department to take certain action if the department determines that a licensee violated certain statutes; providing construction; amending ss. 681.102 and 681.113, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 712**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 637** was withdrawn from the Committee on Rules.

On motion by Senator Avila—

CS for CS for HB 637—A bill to be entitled An act relating to motor vehicle dealers, manufacturers, importers, and distributors; amending s. 320.60, F.S.; revising and providing definitions; amending s. 320.605, F.S.; providing legislative intent; amending s. 320.64, F.S.; prohibiting an applicant or a licensee from certain actions in the allocation or distribution of motor vehicles to franchised motor vehicle dealers; revising the definition of the term “unfair”; prohibiting an applicant or a licensee from engaging in certain activities; authorizing an applicant or a licensee, or a common entity thereof, to sell or activate certain motor vehicle features or improvements through remote electronic transmission; providing for the payment of a percentage of such sale or activation to a motor vehicle dealer; defining the term “feature or improvement”;

providing applicability; requiring such payment to be made within a certain timeframe; amending s. 320.642, F.S.; conforming cross-references; amending s. 320.645, F.S.; revising provisions prohibiting a licensee, a motor vehicle manufacturer, a distributor, or an importer from owning, operating, or controlling a motor vehicle dealership in this state; specifying when certain licenses may be and are prohibited from being issued; revising exceptions to certain prohibitions on licensees; providing applicability; removing the definition of the term “independent person”; prohibiting a distributor or affiliate thereof from receiving a certain license under certain circumstances; amending s. 320.67, F.S.; requiring the Department of Highway Safety and Motor Vehicles to conduct an inquiry relating to certain written complaints; providing purposes of the department’s use of a subpoena; authorizing the department to allow a written response to the complaint; requiring the department to commence the inquiry within a certain timeframe; requiring the department to provide a certain written response to the complainant within a certain timeframe; requiring the department to take certain action if the department determines that a licensee violated certain provisions; providing construction; amending ss. 681.102 and 681.113, F.S.; conforming cross-references; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 712** and read the second time by title.

On motion by Senator Avila, by two-thirds vote, **CS for CS for HB 637** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

CS for SB 858—A bill to be entitled An act relating to benefits, training, and employment for veterans and their spouses; amending s. 288.0001, F.S.; requiring the Economic Development Programs Evaluation to include a periodic analysis of the Veterans Employment and Training Services Program; amending ss. 292.05 and 295.21, F.S.; revising the duties of the Department of Veterans’ Affairs and Florida Is For Veterans, Inc., respectively, to include the provision of certain assistance to veterans’ spouses; amending s. 295.22, F.S.; revising legislative findings and intent; revising the purpose and duties of the Veterans Employment and Training Services Program to include provision of certain assistance to veterans’ spouses; requiring priority for the award of certain grants to be given to businesses in the health care industry; removing provisions authorizing grant administration by CareerSource Florida, Inc.; requiring Florida Is For Veterans, Inc., to assist veterans or their spouses in accessing employment and licensure in health care professions; amending s. 456.013, F.S.; deleting provisions relating to the waiver of certain fees for veterans or their spouses; amending s. 456.024, F.S.; requiring the Department of Health to waive certain fees for veterans and their spouses under certain circumstances; providing requirements for application for such waiver; deleting a limitation on the period in which a member of the United States Armed Forces must receive an honorable discharge from service in order to be issued a license to practice a health care profession in this state; requiring the appropriate board or the department to expedite health care licensure applications submitted by veterans and to issue a license within a specified period; amending s. 456.0241, F.S.; deleting provisions relating to application and renewal fees for temporary certification of an active duty military health care practitioner to practice in a regulated profession in this state; requiring the department to waive

the temporary licensing fee; creating s. 456.0242, F.S.; establishing the Office of Veteran Licensure Services within the Division of Medical Quality Assurance; requiring the office to designate a veteran as executive director of the office; providing duties of the office; requiring an annual report to the Governor and Legislature; providing report requirements; authorizing the department to adopt rules; providing appropriations and authorizing positions; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 858**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 139** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Torres—

CS for CS for HB 139—A bill to be entitled An act relating to benefits, training, and employment for veterans and their spouses; amending s. 288.0001, F.S.; requiring the Economic Development Programs Evaluation to include a periodic analysis of the Veterans Employment and Training Services Program; amending ss. 292.05 and 295.21, F.S.; revising the duties of the Department of Veterans' Affairs and Florida Is For Veterans, Inc., respectively, to include provision of certain assistance to veterans' spouses; amending s. 295.22, F.S.; revising legislative findings and intent; revising the purpose and duties of the Veterans Employment and Training Services Program to include provision of certain assistance to veterans' spouses; requiring priority for the award of certain grants to be given to businesses in the health care industry; removing provisions authorizing grant administration by CareerSource Florida, Inc.; requiring Florida Is For Veterans, Inc., to assist veterans or their spouses in accessing employment and licensure in health care professions; amending s. 456.013, F.S.; removing provisions relating to the waiver of certain fees for veterans or their spouses; amending s. 456.024, F.S.; requiring the Department of Health to waive certain fees for veterans and their spouses under certain circumstances; providing requirements for application for such waiver; removing a limitation on the period in which a member of the United States Armed Forces must receive an honorable discharge from service in order to be issued a license to practice a health care profession in this state; requiring the appropriate board or the department to expedite health care licensure applications submitted by veterans and to issue a license within a specified period; amending s. 456.0241, F.S.; removing provisions relating to application and renewal fees for temporary certification of an active duty military health care practitioner to practice in a regulated profession in this state; requiring the department to waive the temporary licensing fee; creating s. 456.0242, F.S.; establishing the Office of Veteran Licensure Services within the Division of Medical Quality Assurance; requiring the office to designate a veteran as executive director of the office; providing duties of the office; requiring an annual report to the Governor and Legislature; providing report requirements; authorizing the department to adopt rules; providing appropriations and authorizing positions; providing an effective date.

—a companion measure, was substituted for **CS for SB 858** and read the second time by title.

On motion by Senator Torres, by two-thirds vote, **CS for CS for HB 139** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

CS for SB 1320—A bill to be entitled An act relating to child protection in public schools; amending s. 1000.21, F.S.; defining the term “sex”; creating s. 1001.07, F.S.; defining the term “sex”; prohibiting an employee, contractor, or student of a public school from being required to refer to a person using personal titles or pronouns that do not correspond with that person’s sex; prohibiting employees and contractors from providing a pronoun or personal title to students which does not correspond with his or her sex; providing that students may not be asked for preferred personal titles or pronouns or penalized for not providing such information; authorizing the State Board of Education to adopt rules; amending s. 1001.42, F.S.; prohibiting classroom instruction by school personnel on sexual orientation or gender identity until grade 9; providing that such prohibition applies to charter schools; deleting a provision authorizing a parent to bring an action against a school district for a declaratory judgment; amending s. 1003.42, F.S.; providing that materials used to teach reproductive health or any disease as part of certain courses must be approved by the Department of Education; amending s. 1003.46, F.S.; requiring that instruction in acquired immune deficiency syndrome, sexually transmitted diseases, and health education identify males and females as provided in a specified provision and teach that the male and female reproductive roles are binary, stable, and unchangeable; requiring that such instructional materials be approved by the department; amending s. 1006.28, F.S.; providing that district school boards are responsible for materials used in classroom libraries; requiring that a specified objection form and the district school board’s process for handling objections be easy to read and easily accessible on school districts’ website homepages; expanding the criteria for materials used in the classroom, available in the school library, or included on a reading list under which a parent or resident may bring an objection; requiring that certain materials be unavailable to students until the resolution of any objection; providing requirements for certain meetings of school district committees relating to instructional materials; revising certain district school board procedures relating to library media center collections; revising elementary school requirements relating to materials in specified libraries; requiring district school boards to adopt and publish a specified process relating to student access to certain materials; revising district school board reporting requirements relating to materials that received certain objections; requiring school principals to communicate to parents the procedures for contesting the adoption and use of instructional materials; reenacting ss. 1000.05(2), (3), (4)(a), (5) and (7)(d), 1001.453(2)(c), 1002.42(3)(a), 1003.27(2)(b) and (c), 1003.42(3)(a), (c), (e), and (f), 1004.43(2), 1006.205(2)(b) and (3), 1009.23(7), 1009.24(10)(b), 1009.983(6), 1009.986(3)(e), and 1014.05(1)(c), (d), and (f), F.S., relating to biological sex, to incorporate the amendment made to s. 1000.21, F.S., in references thereto; providing for severability; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1320**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1069** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Yarborough—

CS for CS for HB 1069—A bill to be entitled An act relating to education; amending s. 1000.21, F.S.; defining the term “sex” for the Florida Early Learning-20 Education Code; creating s. 1000.071, F.S.; requiring specified policies relating to a person’s sex at certain educational institutions; providing applicability; prohibiting employees, contractors, and students of such educational institutions from being required to use, from providing, and from being asked to provide certain titles and pronouns; prohibiting students from being penalized or subjected to certain treatment for not providing certain titles and pronouns; authorizing the State Board of Education to adopt rules; amending s. 1001.42, F.S.; prohibiting classroom instruction on sexual orientation or gender identity from occurring in prekindergarten through grade 8, rather than kindergarten through grade 3; providing an exception; providing requirements if such instruction is provided in grades 9 through 12; providing that such prohibition applies to charter schools; requiring school districts to post specified policies on their websites; amending s. 1003.42, F.S.; requiring all materials used for specified instruction relating to reproductive health to be approved by the Department of Education; amending s. 1003.46, F.S.; providing additional requirements for certain instruction regarding human sexuality; requiring the department to approve specified instructional materials; amending s. 1006.28, F.S.; providing that district school boards are

responsible for materials used in classroom libraries; requiring that a specified objection form and district school board process meet certain requirements; providing requirements for materials used in a classroom library; revising the criteria a parent or resident must meet to object to certain materials used in the classroom; requiring certain classroom materials to be removed within a specified time period and be unavailable to certain students until the resolution of certain objections; providing that parents have the right to read passages from specified materials; requiring the discontinuation of specified materials under certain circumstances; providing requirements for certain meetings of school district committees relating to instructional materials; requiring the Commissioner of Education to appoint a special magistrate under certain circumstances; providing requirements for and duties of the special magistrate; requiring the State Board of Education to approve or reject the special magistrate's recommendation within a specified timeframe; requiring school districts to bear the costs of the special magistrate; requiring the State Board of Education to adopt rules; revising certain district school board procedures relating to library media center collections; revising elementary school requirements relating to materials in specified libraries; requiring district school boards to adopt and publish a specified process relating to student access to certain materials; revising district school board reporting requirements relating to materials which received certain objections; requiring school principals to communicate to and notify parents of certain procedures and processes relating to instructional materials; reenacting ss. 1000.05(2), (3), (4)(a), (5), and (6)(d), 1001.453(2)(c), 1002.42(3)(a), 1003.27(2)(b) and (c), 1003.42(3)(a), (c), (e), and (f), 1004.43(2), 1006.205(2)(b) and (3), 1009.23(7), 1009.24(10)(b), 1009.983(6), 1009.986(3)(e), and 1014.05(1)(c), (d), and (f), F.S., to incorporate the amendment made to s. 1000.21, F.S., in references thereto; providing severability; providing an effective date.

—a companion measure, was substituted for **CS for SB 1320** and read the second time by title.

Senator Pizzo moved the following amendment which failed:

Amendment 1 (914368) (with title amendment)—Delete line 154 and insert:
parties on *human sexuality* ~~sexual orientation or gender identity~~ may not occur

And the title is amended as follows:

Delete line 16 and insert: *human sexuality*, rather than *sexual orientation or gender identity*, from occurring

The vote was:

Yeas—11

Berman	Jones	Stewart
Book	Pizzo	Thompson
Bradley	Polsky	Torres
Davis	Powell	

Nays—27

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

Senator Book moved the following amendment which failed:

Amendment 2 (239894) (with title amendment)—Between lines 159 and 160 insert:

Classroom instruction includes the lesson plans and supplemental instructional materials used to meet learning standards. Classroom instruction does not include classroom discussion; teacher responses to student questions; student participation; grades or feedback; incidental references in literature; historical references; anti-bullying initiatives;

extracurricular activities; or symbols, emblems, or materials displayed in a classroom.

And the title is amended as follows:

Delete line 20 and insert: *in grades 9 through 12; specifying what classroom instruction includes; providing that such*

Senator Berman moved the following amendment which failed:

Amendment 3 (215292) (with title amendment)—Delete lines 236-251 and insert:

(a) *Provide comprehensive, medically accurate, and factual information that is developmentally and age appropriate. As used in this paragraph, the term:*

1. *"Comprehensive information" means information that:*

a. *Helps young people gain knowledge about the physical, biological, and hormonal changes of adolescence and subsequent stages of human maturation;*

b. *Develops the knowledge and skills necessary to protect young people with respect to their sexual and reproductive health and to promote an understanding of sexuality as a normal part of human development;*

c. *Helps young people gain knowledge about responsible decision-making and consent;*

d. *Is culturally competent and appropriate for use with young people of any race, sex, gender identity, sexual orientation, or ethnic or cultural background;*

e. *Develops healthy attitudes and behaviors concerning growth, development, and body image;*

f. *Encourages young people to practice healthy life skills, including negotiation and refusal skills, to assist in overcoming peer pressure and use effective decisionmaking skills to avoid high-risk activities;*

g. *Promotes self-esteem and positive interpersonal skills, focusing on skills needed to develop healthy relationships and interactions, and provides young people with the knowledge and skills necessary to have healthy, positive, and safe relationships and behaviors; and*

h. *Includes medically accurate information about all methods of contraception and each method's effectiveness rate, including, but not limited to, abstinence.*

2. *"Developmentally and age appropriate" means suitable for particular ages or age groups of children and adolescents based on the developing cognitive, emotional, and behavioral capacity typical for that age or age group.*

3. *"Factual information" includes, but is not limited to, medical, psychiatric, psychological, empirical, and statistical statements.*

4. *"Medically accurate information" means information relevant to informed decisionmaking which is based on scientific evidence, consistent with generally recognized scientific theory, identified under accepted scientific methods, published in peer-reviewed journals, and recognized as accurate, objective, and complete by mainstream professional organizations, including, but not limited to, the American Medical Association, the American College of Obstetricians and Gynecologists, the American Public Health Association, and the American Academy of Pediatrics; government agencies, including the United States Centers for Disease Control and Prevention, the United States Food and Drug Administration, and the National Institutes of Health; and scientific advisory groups, including The National Academy of Medicine and the Advisory Committee on Immunization Practices. The deliberate withholding of information that is needed to protect the life and health of an individual is considered medically inaccurate.*

~~(a) Teach abstinence from sexual activity outside of marriage as the expected standard for all school age students while teaching the benefits of monogamous heterosexual marriage.~~

~~(b) Emphasize that abstinence from sexual activity is a certain way to avoid out of wedlock pregnancy, sexually transmitted diseases, including acquired immune deficiency syndrome, and other associated health problems.~~

~~(b)(e)~~ Teach that each student has the power to control personal behavior and encourage students to base actions on reasoning, self-esteem, and respect for others.

~~(c)(d)~~ Provide instruction and material that is

And the title is amended as follows:

Delete line 28 and insert: regarding human sexuality; defining terms; requiring the department to

Senator Polsky moved the following amendment which failed:

Amendment 4 (867012) (with title amendment)—Delete lines 279-361 and insert:

regarding an objection by a parent ~~or a resident of the county~~ to the use of a specific material, which clearly describes a process to handle all objections and provides for resolution. *The objection form, as prescribed by State Board of Education rule, and the district school board's process must be easy to read and understand and be easily accessible on the homepage of the school district's website.* The process must provide the parent ~~or resident~~ the opportunity to proffer evidence to the district school board that:

a. An instructional material does not meet the criteria of s. 1006.31(2) or s. 1006.40(3)(d) if it was selected for use in a course or otherwise made available to students in the school district but was not subject to the public notice, review, comment, and hearing procedures under s. 1006.283(2)(b)8., 9., and 11.

b. Any material used in a classroom, made available in a school or classroom library, or included on a reading list contains content that:

(I) Is pornographic or prohibited under s. 847.012;

(II) *Depicts or describes sexual conduct as defined in s. 847.001, unless such material is for a course required by s. 1003.46 or s. 1003.42(2)(n)1.g. or identified by State Board of Education rule;*

(III) Is not suited to student needs and their ability to comprehend the material presented;

(IV) Is inappropriate for the grade level and age group for which the material is used.

Any material that is subject to an objection on the basis of sub-sub-subparagraph b.(I) or sub-sub-subparagraph b.(II) must be made unavailable to students until the objection is resolved. Parents have the right to read aloud at public meetings passages from material that is subject to an objection. If the district school board finds that an instructional material does not meet the criteria under sub-subparagraph a. or that any other material contains prohibited content under sub-subparagraph b., the school district shall discontinue use of the material for any grade level or age group for which such use is inappropriate or unsuitable.

3. Each district school board must establish a process by which the parent of a public school student ~~or a resident of the county~~ may contest the district school board's adoption of a specific instructional material. The parent ~~or resident~~ must file a petition, on a form provided by the school board, within 30 calendar days after the adoption of the instructional material by the school board. The school board must make the form available to the public and publish the form on the school district's website. The form must be signed by the parent ~~or resident~~, include the required contact information, and state the objection to the instructional material based on the criteria of s. 1006.31(2) or s. 1006.40(3)(d). Within 30 days after the 30-day period has expired, the school board must, for all petitions timely received, conduct at least one open public hearing before an unbiased and qualified hearing officer. The hearing officer may not be an employee or agent of the school dis-

trict. The hearing is not subject to the provisions of chapter 120; however, the hearing must provide sufficient procedural protections to allow each petitioner an adequate and fair opportunity to be heard and present evidence to the hearing officer. The school board's decision after convening a hearing is final and not subject to further petition or review.

4. Meetings of committees convened for the purpose of ranking, eliminating, or selecting instructional materials for recommendation to the district school board must be noticed and open to the public in accordance with s. 286.011. Any committees convened for such purposes must include parents of ~~district~~ students *who will have access to such materials.*

5. *Meetings of committees convened for the purpose of resolving an objection by a parent to specific materials must be noticed and open to the public in accordance with s. 286.011. Any committees convened for such purpose must include parents of students who will have access to such materials.*

And the title is amended as follows:

Delete lines 32-37 and insert: libraries; revising who may bring an objection to the use of a specific material; requiring that a specified objection form and district school board process meet certain requirements; providing requirements for materials used in a classroom library; revising the criteria a parent must meet to object to certain materials used in the classroom; requiring certain

Senator Davis moved the following amendment which failed:

Amendment 5 (430296)—Delete lines 311-312 and insert: *be unavailable to the student of the objector until the*

The vote was:

Yeas—13

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

Nays—26

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

Senator Polsky moved the following amendment which failed:

Amendment 6 (219548) (with title amendment)—Delete lines 312-313 and insert:

be made available to students of that school until the objection is resolved. Parents shall have the right to read

And the title is amended as follows:

Delete line 39 and insert: time period and be available to certain students

SENATOR PERRY PRESIDING

THE PRESIDENT PRESIDING

Pursuant to Rule 4.19, **CS for CS for HB 1069** was placed on the calendar of Bills on Third Reading.

CS for SB 958—A bill to be entitled An act relating to postsecondary educational institutions; amending ss. 1001.03 and 1001.706, F.S.; revising the date by which the State Board of Education and the Board of Governors, respectively, must annually compile and publish specified assessments; creating s. 1001.93, F.S.; providing legislative findings; defining terms; requiring the Board of Governors of the State University System to establish a Committee on Public Policy Events; requiring each state university to establish an Office of Public Policy Events; providing the duties of the offices, including requirements for specific events, recording of such events, maintaining calendars, and requirements for reporting; authorizing a state university to assign duties of the office to an existing administrative office upon the approval of specified entities; requiring offices to report to specified state university offices; amending s. 1004.097, F.S.; prohibiting public institutions of higher education from requiring the completion of a political loyalty test or for persons to meet certain qualifications; providing requirements for such prohibited tests and qualifications; requiring the State Board of Education and the Board of Governors to adopt rules and regulations, respectively, for specified purposes; providing severability; amending s. 1004.26, F.S.; designating the Florida Student Association as the nonprofit advocacy organization for students of the State University System; requiring the Chancellor of the State University System, with approval from the Board of Governors, to designate another organization to serve such students under certain circumstances; providing membership for the board of directors of the association; providing requirements for such board of directors relating to the board's chair and the association's president; requiring the board of directors to adopt certain bylaws; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 958**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 931** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Perry—

CS for CS for HB 931—A bill to be entitled An act relating to postsecondary educational institutions; amending ss. 1001.03 and 1001.706, F.S.; revising the date by which the State Board of Education and the Board of Governors must annually compile and publish specified assessments; creating s. 1001.741, F.S.; prohibiting public institutions of higher education from requiring the completion of a political loyalty test or for persons to meet certain qualifications; providing requirements for such prohibited tests and qualifications; authorizing the State Board of Education and the Board of Governors to adopt rules and regulations for specified purposes; providing severability; creating s. 1001.93, F.S.; providing legislative findings; providing definitions; requiring each state university to establish an Office of Public Policy Events; providing duties of the offices; authorizing a state university to assign the duties of the office to an existing office within the university; requiring such offices to report to specified state university offices; amending s. 1004.26, F.S.; designating the Florida Student Association as the nonprofit advocacy organization for students of the State University System; authorizing the Chancellor of the Board of Governors, with approval from the Board of Governors, to designate another organization to serve such students under certain circumstances; providing membership for the board of directors of the association; providing requirements for such board of directors relating to the board's chair and the association's president; requiring the board of directors to adopt certain bylaws; providing an effective date.

—a companion measure, was substituted for **CS for SB 958** and read the second time by title.

On motion by Senator Perry, by two-thirds vote, **CS for CS for HB 931** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—33

Madam President	Brodeur	DiCeglie
Albritton	Broxson	Garcia
Avila	Burgess	Grall
Baxley	Burton	Gruters
Boyd	Calatayud	Harrell
Bradley	Collins	Hooper

Ingoglia	Perry	Stewart
Jones	Pizzo	Torres
Martin	Rodriguez	Trumbull
Mayfield	Rouson	Wright
Osgood	Simon	Yarborough

Nays—5

Berman	Polsky	Thompson
Book	Powell	

Vote after roll call:

Nay—Davis

CS for SB 988—A bill to be entitled An act relating to Medicaid coverage of continuous glucose monitors; creating s. 409.9063, F.S.; defining the term “continuous glucose monitor”; requiring the Agency for Health Care Administration, subject to the availability of funds and certain limitations and directions, to provide coverage for continuous glucose monitors for certain Medicaid recipients; providing construction; providing requirements for Medicaid recipients to continue receiving coverage for their continuous glucose monitors; requiring the agency to seek federal approval for implementation of the act, if needed; requiring the agency to include the rate impact of the act in certain rates that become effective on a specified date; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 988**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 967** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Burton—

CS for HB 967—A bill to be entitled An act relating to Medicaid coverage of continuous glucose monitors; creating s. 409.9063, F.S.; defining the term “continuous glucose monitor”; requiring the Agency for Health Care Administration, subject to the availability of funds and certain limitations and directions, to provide coverage for continuous glucose monitors for certain Medicaid recipients; providing construction; providing requirements for Medicaid recipients to continue receiving coverage for their continuous glucose monitors; requiring the agency to seek federal approval for implementation of the act, if needed; requiring the agency to include the rate impact of the act in certain rates that become effective on a specified date; providing an effective date.

—a companion measure, was substituted for **CS for SB 988** and read the second time by title.

On motion by Senator Burton, by two-thirds vote, **CS for HB 967** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

CS for SB 998—A bill to be entitled An act relating to chiefs of police; amending s. 112.531, F.S.; defining terms; creating s. 112.5321, F.S.; providing legislative findings and intent; providing rights of chiefs of police; requiring an aggrieved chief of police to provide his or her employing agency with a certain written notice within a specified timeframe; requiring an employing agency to cure an alleged violation within a specified timeframe; providing exceptions; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 998**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 935** was withdrawn from the Committee on Rules.

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

CS for CS for HB 935—A bill to be entitled An act relating to chiefs of police; creating s. 166.0494, F.S.; prohibiting a municipality from terminating a chief of police without providing the chief of police written notice; requiring a municipality to allow a chief of police to appear and provide a full and complete response to his or her termination at a specified public meeting; prohibiting an employment contract from including certain provisions; providing an effective date.

—a companion measure, was substituted for **CS for SB 998** and read the second time by title.

On motion by Senator Burgess, by two-thirds vote, **CS for CS for HB 935** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SPECIAL GUESTS

Senator Burgess recognized the retirement of Mike Erickson after thirty years, staff analyst with the Committee on Criminal Justice, who was present in the chamber.

CS for SB 1056—A bill to be entitled An act relating to dosage form animal health products; amending s. 580.031, F.S.; defining the term “dosage formula animal product”; providing a definition; amending s. 580.051, F.S.; providing an exception from guaranteed analysis requirements for products sold solely as dosage form animal products; providing labeling requirements for dosage form animal products; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1056**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 959** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Gruters—

CS for HB 959—A bill to be entitled An act relating to dosage form animal health products; amending s. 580.031, F.S.; providing a definition; amending s. 580.051, F.S.; providing an exception from guaranteed analysis requirements for products sold solely as dosage form animal

products; providing labeling requirements for dosage form animal products; providing an effective date.

—a companion measure, was substituted for **CS for SB 1056** and read the second time by title.

On motion by Senator Gruters, by two-thirds vote, **CS for HB 959** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

CS for SB 1082—A bill to be entitled An act relating to vessels; amending s. 327.46, F.S.; authorizing counties and municipalities to establish slow speed, minimum wake boating-restricted areas within a specified distance from certain sewage pumpout facilities at public or private nonresidential marinas within certain portions of the Florida Intracoastal Waterway; amending s. 403.813, F.S.; removing a provision authorizing local governments to require permitting for certain floating vessel platforms; revising conditions under which local governments may require one-time registrations of floating vessel platforms; making technical changes; reenacting s. 327.41(2), F.S., relating to uniform waterway regulatory markers, to incorporate the amendment made to s. 327.46, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1082**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 847** was withdrawn from the Committee on Rules.

On motion by Senator DiCeglie—

CS for CS for HB 847—A bill to be entitled An act relating to vessel regulations; amending s. 327.46, F.S.; authorizing counties and municipalities to establish boating-restricted areas for certain sewage pumpout stations within a specified distance of the marked channel of the Florida Intracoastal Waterway; amending s. 403.813, F.S.; removing a provision authorizing local governments to require permitting for certain floating vessel platforms; revising conditions under which local governments may require one-time registrations of floating vessel platforms; making technical changes; reenacting s. 327.41(2), F.S., relating to uniform waterway regulatory markers, to incorporate the amendment made to s. 327.46, F.S., in a reference thereto; providing an effective date.

—a companion measure, was substituted for **CS for SB 1082** and read the second time by title.

On motion by Senator DiCeglie, by two-thirds vote, **CS for CS for HB 847** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Calatayud	Ingoglia	Rodriguez
Collins	Jones	Rouson
Davis	Martin	Simon
DiCeglie	Mayfield	Stewart
Garcia	Osgood	Thompson
Grall	Perry	Torres
Gruters	Pizzo	Trumbull
Harrell	Polsky	Wright
Hooper	Powell	Yarborough

Nays—None

CS for CS for SB 1098—A bill to be entitled An act relating to withholding or withdrawal of life-prolonging procedures; amending s. 744.3215, F.S.; authorizing a court to delegate the right to consent to the withholding or withdrawal of life-prolonging procedures of incapacitated persons in certain circumstances; amending ss. 744.363 and 744.3675, F.S.; making technical changes; requiring that initial and annual guardianship plans, respectively, state whether any power under the ward's preexisting order not to resuscitate or advance directive is revoked, modified, suspended, or transferred to the guardian; requiring that such plans state the date of such action; establishing certain authority without additional court approval; requiring a guardian to obtain court approval to exercise transferred power to execute an order not to resuscitate or consent to withhold or withdraw life-prolonging procedures under certain circumstances; creating s. 744.4431, F.S.; authorizing a guardian to petition a court for approval to consent to withhold or withdraw life-prolonging procedures under certain circumstances; specifying requirements for the petition; requiring the guardian to serve certain notices; specifying procedures that must be followed by the court in acting on the petition; authorizing the guardian to withhold or withdraw life-prolonging procedures without a hearing or court approval under certain circumstances; amending s. 744.441, F.S.; making technical changes; deleting provisions regarding the authority of certain guardians to sign an order not to resuscitate; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1098**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1119** was withdrawn from the Committee on Rules.

On motion by Senator Burton—

CS for CS for HB 1119—A bill to be entitled An act relating to withholding or withdrawal of life-prolonging procedures; amending s. 744.3115, F.S.; revising when a court may modify or revoke certain authority of a surrogate; requiring a hearing before the court can modify or revoke authority of a surrogate; requiring a guardian to file an advance directive for health care with the court within a specified timeframe under certain circumstances; requiring the court to make certain findings; authorizing a surrogate or agent to make health care decisions without order of the court under certain circumstances; amending s. 744.3215, F.S.; revising the rights that may be removed from a person by an order determining incapacity; requiring court approval to withhold or withdraw life-prolonging procedures of incapacitated persons in certain circumstances; amending ss. 744.363 and 744.3675, F.S.; making technical changes; requiring initial and annual guardianship plans, respectively, to state whether any power under the ward's preexisting order not to resuscitate or advance directive is revoked, modified, or suspended; requiring such plans to state the dates of such action; creating s. 744.4431, F.S.; requiring court approval for decisions to withhold or withdraw life-prolonging procedures or to execute an order not to resuscitate; specifying requirements for a petition for court approval to consent to withhold or withdraw life-prolonging procedures or to execute an order not to resuscitate; requiring the professional guardian to prove certain facts by clear and convincing evidence; requiring the professional guardian to serve certain notices; requiring the court to hold a hearing if certain circumstances exist; specifying procedures that must be followed by the court in acting on the petition; providing exceptions to the requirement for court approval; requiring the professional guardian to provide certain written notice to the court within a specified timeframe; amending s. 744.441, F.S.; making technical changes; deleting provisions regarding the authority of certain

guardians to sign an order not to resuscitate; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1098** and read the second time by title.

On motion by Senator Burton, by two-thirds vote, **CS for CS for HB 1119** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Harrell

CS for CS for SB 1114—A bill to be entitled An act relating to homeowners' associations; providing a short title; amending s. 720.303, F.S.; requiring that notices for board meetings specifically identify agenda items; requiring an association to maintain designated addresses as official records; specifying what constitutes a designated address; conforming provisions to changes made by the act; prohibiting certain funds from being comingled with other association funds; authorizing a member to request an accounting from an association under certain circumstances; requiring an association to provide such accounting and remit unused funds to the member within specified timeframes; amending s. 720.3033, F.S.; providing civil penalties for certain actions by officers, directors, or managers of an association; revising the circumstances under which a director or an officer must be removed from office after being charged by information or indictment; prohibiting such officers and directors with pending criminal charges from accessing the official records of any association; providing an exception; specifying that the appointment of officers or directors by a developer does not create a presumption of a conflict of interest for such officers or directors; requiring directors and officers of the association to disclose certain activity and relationships to the association within a specified timeframe; creating a rebuttable presumption of a conflict of interest if certain acts occur; amending s. 720.305, F.S.; restricting certain attorney fees and fines; specifying the types of violations for which an association may levy fines; specifying where certain notice must be delivered; providing requirements for such notice; authorizing parcel owners to attend certain hearings by telephone or other electronic means; requiring a specified notice after a hearing; conforming provisions to changes made by the act; creating s. 720.3065, F.S.; providing criminal penalties for certain fraudulent voting activities; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1114**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 919** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Rodriguez—

CS for CS for HB 919—A bill to be entitled An act relating to homeowners' associations; providing a short title; amending s. 720.303, F.S.; requiring certain officers or directors of an association be removed from office under certain circumstances; specifying how a vacancy on the board must be filled; providing restrictions on certain officers and

directors; specifying when an officer or director may be reinstated; requiring an association to maintain designated addresses as official records; specifying what constitutes a designated address; making conforming changes; prohibiting certain funds from being commingled with other association funds; authorizing a member to request an accounting from an association under certain circumstances; requiring an association to provide such accounting and remit unused funds to the member within specified timeframes; amending s. 720.3033, F.S.; providing criminal and civil penalties for certain actions by officers, directors, or managers of an association; defining the term “kickback”; requiring directors and officers of the association who are appointed by the developer to disclose certain information to the association; requiring directors and officers of the association to disclose certain activity to the association within a specified time frame; creating a rebuttable presumption of a conflict of interest if certain acts occur; amending s. 720.305, F.S.; restricting certain attorney fees and fines; specifying the types of violations for which an association may levy fines; providing a maximum aggregate fine amount; prohibiting a fine from becoming a lien on a parcel; revising amount of notice the board of administration must give a parcel owner before imposing a fine or suspension; specifying where such notice must be delivered; providing requirements for such notice; authorizing parcel owners to attend certain hearings by telephone or other electronic means; expanding duties of a specified committee; requiring a specified notice after a hearing; specifying how fines, suspensions, attorney fees, and costs are determined; requiring a detailed accounting of amounts due to the association be given to certain persons within a certain timeframe upon written request; providing for a complete waiver of a violation under certain circumstances; specifying the priority of payments made by a parcel owner to an association; prohibiting the accrual of attorney fees and costs after a specified time; authorizing certain persons to request a hearing to dispute certain fees and costs; providing for the waiver of certain fines or suspensions; requiring certain fines, fees, or other costs be paid by an association; conforming provisions to changes made by the act; creating s. 720.3065, F.S.; providing criminal penalties for certain fraudulent voting activities; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1114** and read the second time by title.

Senator Rodriguez moved the following amendment which was adopted:

Amendment 1 (217604) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *This act may be cited as the “Homeowners’ Associations Bill of Rights.”*

Section 2. Paragraph (c) of subsection (2) and paragraph (g) of subsection (4) of section 720.303, Florida Statutes, are amended, and paragraph (d) is added to subsection (8) of that section, to read:

720.303 Association powers and duties; meetings of board; official records; budgets; financial reporting; association funds; recalls.—

(2) BOARD MEETINGS.—

(c) The bylaws shall provide the following for giving notice to parcel owners and members of all board meetings and, if they do not do so, shall be deemed to include the following:

1. Notices of all board meetings *must specifically identify agenda items for the meetings and* must be posted in a conspicuous place in the community at least 48 hours in advance of a meeting, except in an emergency. In the alternative, if notice is not posted in a conspicuous place in the community, notice of each board meeting must be mailed or delivered to each member at least 7 days before the meeting, except in an emergency. Notwithstanding this general notice requirement, for communities with more than 100 members, the association bylaws may provide for a reasonable alternative to posting or mailing of notice for each board meeting, including publication of notice, provision of a schedule of board meetings, or the conspicuous posting and repeated broadcasting of the notice on a closed-circuit cable television system serving the homeowners’ association. However, if broadcast notice is used in lieu of a notice posted physically in the community, the notice must be broadcast at least four times every broadcast hour of each day that a posted notice is otherwise required. When broadcast notice is

provided, the notice and agenda must be broadcast in a manner and for a sufficient continuous length of time so as to allow an average reader to observe the notice and read and comprehend the entire content of the notice and the agenda. In addition to any of the authorized means of providing notice of a meeting of the board, the association may, by rule, adopt a procedure for conspicuously posting the meeting notice and the agenda on the association’s website or an application that can be downloaded on a mobile device for at least the minimum period of time for which a notice of a meeting is also required to be physically posted on the association property. Any rule adopted must, in addition to other matters, include a requirement that the association send an electronic notice to members whose e-mail addresses are included in the association’s official records in the same manner as is required for a notice of a meeting of the members. Such notice must include a hyperlink to the website or such mobile application on which the meeting notice is posted. The association may provide notice by electronic transmission in a manner authorized by law for meetings of the board of directors, committee meetings requiring notice under this section, and annual and special meetings of the members to any member who has provided a facsimile number or e-mail address to the association to be used for such purposes; however, a member must consent in writing to receiving notice by electronic transmission.

2. An assessment may not be levied at a board meeting unless the notice of the meeting includes a statement that assessments will be considered and the nature of the assessments. Written notice of any meeting at which special assessments will be considered or at which amendments to rules regarding parcel use will be considered must be mailed, delivered, or electronically transmitted to the members and parcel owners and posted conspicuously on the property or broadcast on closed-circuit cable television not less than 14 days before the meeting.

3. Directors may not vote by proxy or by secret ballot at board meetings, except that secret ballots may be used in the election of officers. This subsection also applies to the meetings of any committee or other similar body, when a final decision will be made regarding the expenditure of association funds, and to any body vested with the power to approve or disapprove architectural decisions with respect to a specific parcel of residential property owned by a member of the community.

(4) OFFICIAL RECORDS.—The association shall maintain each of the following items, when applicable, which constitute the official records of the association:

(g) A current roster of all members and their *designated* mailing addresses and parcel identifications. *A member’s designated mailing address is the member’s property address, unless the member has sent written notice to the association requesting that a different mailing address be used for all required notices.* The association shall also maintain the ~~e-mail~~ *electronic-mailing* addresses and the *facsimile* numbers designated by members for receiving notice sent by electronic transmission of those members consenting to receive notice by electronic transmission. *A member’s e-mail address is the e-mail address the member provided when consenting in writing to receiving notice by electronic transmission, unless the member has sent written notice to the association requesting that a different e-mail address be used for all required notices.* The ~~e-mail~~ *electronic-mailing* addresses and *facsimile* numbers provided by members ~~unit owners~~ to receive notice by electronic transmission ~~must~~ *shall* be removed from association records when the member ~~revokes~~ *consent* to receive notice by electronic transmission ~~is revoked~~. However, the association is not liable for an erroneous disclosure of the ~~e-mail~~ *electronic-mail* address or the *facsimile* number for receiving electronic transmission of notices.

(8) ASSOCIATION FUNDS; COMMINGLING.—

(d) *If an association collects a deposit from a member for any reason, including to pay for expenses that may be incurred as a result of construction on a member’s parcel, such funds must be maintained separately and may not be commingled with any other association funds. Upon completion of the member’s construction project or other reason for which the deposit was collected, the member may request an accounting from the association of his or her funds that were deposited, and the association must provide such accounting to the member within 7 days after receiving the member’s request. An association must remit payment of any unused funds to the member within 30 days after receiving notice*

that the member's construction project, or other reason for which the deposit was collected, is complete.

Section 3. Subsections (3) and (4) of section 720.3033, Florida Statutes, are amended, and subsection (6) is added to that section, to read:

720.3033 Officers and directors.—

(3) An officer, a director, or a manager may not solicit, offer to accept, or accept any ~~thing~~ ~~good~~ or service of value for which consideration has not been provided for his or her benefit or for the benefit of a member of his or her immediate family from any person providing or proposing to provide goods or services to the association. *An officer, a director, or a manager who knowingly solicits, offers to accept, or accepts any thing or service of value or kickback for which consideration has not been provided for his or her own benefit or that of his or her immediate family from any person providing or proposing to provide goods or services to the association is subject to monetary damages under s. 617.0834.* If the board finds that an officer or a director has violated this subsection, the board shall immediately remove the officer or director from office. The vacancy shall be filled according to law until the end of the officer's or director's term of office. However, an officer, a director, or a manager may accept food to be consumed at a business meeting with a value of less than \$25 per individual or a service or good received in connection with trade fairs or education programs.

(4)(a) A director or an officer charged by information or indictment with any of the following crimes must be removed from office:

1. Forgery of a ballot envelope or voting certificate used in a homeowners' association election as provided in s. 831.01.

2. Theft or embezzlement involving the association's funds or property as provided in s. 812.014.

3. Destruction of or the refusal to allow inspection or copying of an official record of a homeowners' association which is accessible to parcel owners within the time periods required by general law, in furtherance of any crime. Such act constitutes tampering with physical evidence as provided in s. 918.13.

4. Obstruction of justice as provided in chapter 843.

(b) ~~a felony theft or embezzlement offense involving the association's funds or property is removed from office.~~ The board shall fill the vacancy as provided in s. 720.306(9) ~~according to general law~~ until the end of the period of the suspension or the end of the director's term of office, whichever occurs first. *If such criminal charge is pending against the officer or director, he or she may not be appointed or elected to a position as an officer or a director of any association and may not have access to the official records of any association, except pursuant to a court order.* However, if the charges are resolved without a finding of guilt or without acceptance of a plea of guilty or nolo contendere, the director or officer shall be reinstated for any remainder of his or her term of office. ~~A member who has such criminal charges pending may not be appointed or elected to a position as a director or officer.~~

(6)(a) Directors and officers of an association who are appointed by the developer must disclose to the association their relationship to the developer each calendar year in which they serve as a director or an officer. Directors and officers appointed by the developer must disclose any other activity that may reasonably be construed to be a conflict of interest pursuant to paragraph (b). A developer's appointment of an officer or director does not create a presumption that the officer or director has a conflict of interest with regard to the performance of his or her official duties.

(b) Directors and officers must disclose to the association any activity that may be reasonably construed to be a conflict of interest at least 14 days before voting on an issue or entering into a contract that is the subject of the conflict. A rebuttable presumption of a conflict of interest exists if any of the following acts occur without prior disclosure to the association:

1. A director or an officer, or a relative of a director or an officer, enters into a contract for goods or services with the association.

2. A director or an officer, or a relative of a director or an officer, holds an interest in a corporation, limited liability company, partner-

ship, limited liability partnership, or other business entity that conducts business with the association or proposes to enter into a contract or other transaction with the association.

Section 4. Subsections (1), (2), and (5) of section 720.305, Florida Statutes, are amended to read:

720.305 Obligations of members; remedies at law or in equity; levy of fines and suspension of use rights.—

(1) Each member and the member's tenants, guests, and invitees, and each association, are governed by, and must comply with, this chapter, the governing documents of the community, and the rules of the association. Actions at law or in equity, or both, to redress alleged failure or refusal to comply with these provisions may be brought by the association or by any member against:

(a) The association;

(b) A member;

(c) Any director or officer of an association who willfully and knowingly fails to comply with these provisions; and

(d) Any tenants, guests, or invitees occupying a parcel or using the common areas.

The prevailing party in any such litigation is entitled to recover reasonable attorney fees and costs *as provided in paragraph (2)(e).* A member prevailing in an action between the association and the member under this section, in addition to recovering his or her reasonable attorney fees, may recover additional amounts as determined by the court to be necessary to reimburse the member for his or her share of assessments levied by the association to fund its expenses of the litigation. This relief does not exclude other remedies provided by law. This section does not deprive any person of any other available right or remedy.

(2) An association may levy reasonable fines for violations of the declaration, association bylaws, or reasonable rules of the association. A fine may not exceed \$100 per violation against any member or any member's tenant, guest, or invitee for the failure of the owner of the parcel or its occupant, licensee, or invitee to comply with any provision of the declaration, the association bylaws, or reasonable rules of the association unless otherwise provided in the governing documents. A fine may be levied by the board for each day of a continuing violation, with a single notice and opportunity for hearing, except that the fine may not exceed \$1,000 in the aggregate unless otherwise provided in the governing documents. A fine of less than \$1,000 may not become a lien against a parcel. In any action to recover a fine, the prevailing party is entitled to reasonable attorney fees and costs from the nonprevailing party as determined by the court.

(a) An association may suspend, for a reasonable period of time, the right of a member, or a member's tenant, guest, or invitee, to use common areas and facilities for the failure of the owner of the parcel or its occupant, licensee, or invitee to comply with any provision of the declaration, the association bylaws, or reasonable rules of the association. This paragraph does not apply to that portion of common areas used to provide access or utility services to the parcel. A suspension may not prohibit an owner or tenant of a parcel from having vehicular and pedestrian ingress to and egress from the parcel, including, but not limited to, the right to park.

(b) A fine or suspension levied by the board of administration may not be imposed unless the board first provides at least 14 days' notice to the parcel owner at his or her designated mailing or e-mail address in the association's official records and, if applicable, any occupant, licensee, or invitee of the parcel owner, sought to be fined or suspended and ~~an opportunity for~~ a hearing before a committee of at least three members appointed by the board who are not officers, directors, or employees of the association, or the spouse, parent, child, brother, or sister of an officer, director, or employee. *The notice must include a description of the alleged violation, the specific action required to cure such violation, if applicable, and the date and location of the hearing. A parcel owner has the right to attend a hearing by telephone or other electronic means.*

(c) If the committee, by majority vote, does not approve a proposed fine or suspension, the proposed fine or suspension may not be imposed. The role of the committee is limited to determining whether to confirm or reject the fine or suspension levied by the board.

(d) After the hearing, the committee shall provide written notice to the parcel owner at his or her designated mailing or e-mail address in the association's official records and, if applicable, any occupant, licensee, or invitee of the parcel owner, of the committee's findings related to the violation, including any applicable fines or suspensions that the committee approved or rejected, and how the parcel owner or any occupant, licensee, or invitee of the parcel owner may cure the violation, if applicable.

(e) If the proposed fine or suspension levied by the board is approved by the committee by a majority vote, the fine payment is due 5 days after notice of the approved fine required under paragraph (d) is provided to the parcel owner and, if applicable, to any occupant, licensee, or invitee of the parcel owner. The association must provide written notice of such fine or suspension by mail or hand delivery to the parcel owner and, if applicable, to any occupant, licensee, or invitee of the parcel owner.

(5) All suspensions imposed ~~pursuant to~~ subsection (3) or subsection (4) must be approved at a properly noticed board meeting. Upon approval, the ~~board association~~ must send written notice to ~~notify~~ the parcel owner and, if applicable, the parcel's occupant, licensee, or invitee by mail or hand delivery to the parcel owner's designated mailing or e-mail address in the association's official records.

Section 5. Section 720.3065, Florida Statutes, is created to read:

720.3065 Fraudulent voting activities relating to association elections; penalties.—Each of the following acts is a fraudulent voting activity relating to association elections and constitutes a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083:

(1) Willfully and falsely swearing to or affirming an oath or affirmation, or willfully procuring another person to falsely swear to or affirm an oath or affirmation, in connection with or arising out of voting activities.

(2) Perpetrating or attempting to perpetrate, or aiding in the perpetration of, fraud in connection with a vote cast, to be cast, or attempted to be cast.

(3) Preventing a member from voting or preventing a member from voting as he or she intended by fraudulently changing or attempting to change a ballot, ballot envelope, vote, or voting certificate of the member.

(4) Menacing, threatening, or using bribery or any other corruption to attempt, directly or indirectly, to influence, deceive, or deter a member when the member is voting.

(5) Giving or promising, directly or indirectly, anything of value to another member with the intent to buy the vote of that member or another member or to corruptly influence that member or another member in casting his or her vote. This subsection does not apply to any food served which is to be consumed at an election rally or a meeting or to any item of nominal value which is used as an election advertisement, including a campaign message designed to be worn by a member.

(6) Using or threatening to use, directly or indirectly, force, violence, or intimidation or any tactic of coercion or intimidation to induce or compel a member to vote or refrain from voting in an election or on a particular ballot measure.

Section 6. This act shall take effect October 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 homeowners' associations; providing a short title; amending s. 720.303, F.S.; requiring that notices for board meetings specifically identify agenda items; requiring an association to maintain designated addresses as official records; specifying what constitutes a designated address; conforming provisions to changes made by the act; prohibiting certain funds from being commingled with other association funds; authorizing a member to request an accounting from an association under certain circumstances; requiring an asso-

ciation to provide such accounting and remit unused funds to the member within specified timeframes; amending s. 720.3033, F.S.; providing civil penalties for certain actions by officers, directors, or managers of an association; revising the circumstances under which a director or an officer must be removed from office after being charged by information or indictment; prohibiting such officers and directors with pending criminal charges from accessing the official records of any association; providing an exception; requiring certain directors and officers to make a specified disclosure; specifying that the appointment of officers or directors by a developer does not create a presumption of a conflict of interest for such officers or directors; requiring directors and officers of the association to disclose certain activity and relationships to the association within a specified timeframe; creating a rebuttable presumption of a conflict of interest if certain acts occur; amending s. 720.305, F.S.; restricting certain attorney fees and fines; specifying the types of violations for which an association may levy fines; specifying where certain notice must be delivered; providing requirements for such notice; authorizing parcel owners to attend certain hearings by telephone or other electronic means; requiring a specified notice after a hearing; conforming provisions to changes made by the act; creating s. 720.3065, F.S.; providing criminal penalties for certain fraudulent voting activities; providing an effective date.

On motion by Senator Rodriguez, by two-thirds vote, **CS for CS for HB 919**, 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	Perry
Albritton	Davis	Pizzo
Avila	DiCeglie	Polsky
Baxley	Garcia	Powell
Berman	Grall	Rodriguez
Book	Gruters	Rouson
Boyd	Harrell	Simon
Bradley	Hooper	Stewart
Brodeur	Ingolia	Thompson
Broxson	Jones	Torres
Burgess	Martin	Trumbull
Burton	Mayfield	Wright
Calatayud	Osgood	Yarborough

Nays—None

CS for SB 1236—A bill to be entitled An act relating to K-12 education; amending s. 1003.03, F.S.; deleting a specified reduction calculation for certain school district funding for school districts that fail to meet certain class size requirements; conforming provisions to changes made by the act; amending s. 1003.05, F.S.; providing that certain dependent children of active duty military personnel must be enrolled in certain programs; authorizing certain students of military personnel to enroll in any school within this state under certain circumstances; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1236**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 633** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Wright—

CS for CS for HB 633—A bill to be entitled An act relating to K-12 education; amending s. 1003.03, F.S.; deleting a specified reduction calculation for certain school district funding for school districts that fail to meet certain class size requirements; conforming provisions to changes made by the act; amending s. 1003.05, F.S.; providing that certain dependent children of active duty military personnel must be enrolled in certain programs; authorizing certain students of military personnel to enroll in any school within the state under certain circumstances; providing an effective date.

—a companion measure, was substituted for **CS for SB 1236** and read the second time by title.

On motion by Senator Wright, by two-thirds vote, **CS for CS for HB 633** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

CS for CS for SB 1262—A bill to be entitled An act relating to the issuance of special beverage licenses; amending s. 561.20, F.S.; revising requirements relating to the issuance of special food service licenses and certain club licenses; reenacting s. 565.045(1)(c), F.S., relating to regulations for consumption on premises, to incorporate the amendment made to s. 561.20, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1262**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 639** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Martin—

CS for CS for HB 639—A bill to be entitled An act relating to the issuance of special beverage licenses; amending s. 561.20, F.S.; revising requirements for issuing special beverage licenses to certain food service establishments and entities operating certain clubs; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1262** and read the second time by title.

On motion by Senator Martin, by two-thirds vote, **CS for CS for HB 639** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

Vote after roll call:

Yea to Nay—Yarborough

SB 7056—A bill to be entitled An act relating to child protective investigative services; repealing s. 39.3065, F.S., relating to sheriffs of certain counties providing child protective investigative services; requiring certain sheriffs to transfer the functions of providing child protective investigative services to the Department of Children and Families; requiring the department and certain sheriffs to designate a mutually agreed-upon date to finalize such transfer; requiring the department to become the custodian of certain files and documents by a specified date; providing that certain sheriffs remain the custodians of certain files and documents; requiring the department and certain sheriffs to complete an inventory of certain assets and transfer such assets to the department; requiring a financial closeout of each grant by a specified date; authorizing the department to extend certain private leases for a specified time without undergoing a procurement; authorizing the department and certain sheriffs to enter into an agreement to allow certain employees to remain in office space owned or leased by the sheriff for a specified time; authorizing certain employees to transfer their employment to the department; requiring the department to establish positions using certain existing guidelines; specifying certain rights and requirements for an employee who transfers to the department; requiring that the defense and indemnification of certain claims be in accordance with certain agreements; requiring that the department defend and indemnify certain claims; providing construction; amending ss. 39.013, 39.0141, 39.301, 39.3068, 39.307, 39.308, 39.4015, 39.523, 39.524, 402.40, 402.402, 409.1754, 937.021, and 1004.615, F.S.; conforming provisions to changes made by the act; making technical changes; providing effective dates.

—was read the second time by title.

Pending further consideration of **SB 7056**, pursuant to Rule 3.11(3), there being no objection, **HB 7061** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Harrell—

HB 7061—A bill to be entitled An act relating to sheriffs providing child protective investigative services; repealing s. 39.3065, F.S., relating to sheriffs of certain counties providing child protective investigative services; amending ss. 39.013, 39.0141, 39.301, 39.3068, 39.307, 39.308, 39.4015, 39.523, 39.524, 402.40, 402.402, 409.1754, 937.021, and 1004.615, F.S.; conforming provisions to changes made by the act; requiring sheriffs in certain counties who provide child protective investigative services functions to transfer such functions to the Department of Children and Families by a mutually agreed upon date; specifying which entity becomes the custodian of certain files and documents; providing requirements for all grants and grant-related assets; authorizing the department to extend certain private leases for a certain amount of time; authorizing the department and each sheriff to enter into a specified agreement for a specified timeframe; authorizing certain employees to transfer their employment to the department; requiring the department to establish positions for such employees; providing certain benefits to employees who transfer their employment to the department; providing for the defense and indemnification of certain claims; providing construction; providing effective dates.

—a companion measure, was substituted for **SB 7056** and read the second time by title.

Senator Harrell moved the following amendment which was adopted:

Amendment 1 (459628) (with title amendment)—Delete lines 685-688 and insert:

(5) *Any claims or causes of action brought against a sheriff under state or federal law relating to the sheriff's provision of child protective investigative services filed:*

(a) *Before the applicable transfer date must be defended and indemnified in accordance with the provisions of the state or grant agreement applicable at the time of the alleged incident.*

(b) After the applicable transfer date must be defended and indemnified by the department.

This subsection may not be construed as a waiver of s. 768.28, Florida Statutes.

And the title is amended as follows:

Delete lines 24-25 and insert: the department; requiring that the defense and indemnification of certain claims be in accordance with certain agreements; requiring that the department defend and indemnify certain claims; providing certain

On motion by Senator Harrell, by two-thirds vote, **HB 7061**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

SPECIAL RECOGNITION

Senator Trumbull recognized his parents, Jay and Tammy Trumbull, wife, Brittany, and their children, Emery, Merritt, and Tripp, who were present in the gallery on the occasion of his father's birthday this day.

CS for CS for SB 1308—A bill to be entitled An act relating to telephone solicitation; amending s. 501.059, F.S.; revising definitions; prohibiting certain telephonic sales calls; providing conditions under which civil actions may be brought for text message solicitations; providing applicability; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1308**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 761** was withdrawn from the Committee on Rules.

On motion by Senator Yarborough—

CS for CS for HB 761—A bill to be entitled An act relating to telephone solicitation; amending s. 501.059, F.S.; revising definitions; prohibiting certain telephonic sales calls; providing conditions under which civil actions may be brought for text message solicitations; providing applicability; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1308** and read the second time by title.

On motion by Senator Yarborough, by two-thirds vote, **CS for CS for HB 761** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—29

Madam President	Baxley	Brodeur
Albritton	Boyd	Broxson
Avila	Bradley	Burgess

Burton	Harrell	Rouson
Calatayud	Hooper	Simon
Collins	Hutson	Stewart
Davis	Ingoglia	Trumbull
DiCeglie	Mayfield	Wright
Garcia	Perry	Yarborough
Gruters	Rodriguez	

Nays—10

Berman	Martin	Thompson
Book	Osgood	Torres
Grall	Polsky	
Jones	Powell	

Vote after roll call:

Yea—Pizzo

Yea to Nay—Rouson

CS for SB 1674—A bill to be entitled An act relating to facility requirements based on sex; creating s. 553.865, F.S.; providing a short title; providing legislative findings; defining terms; requiring certain entities that maintain water closets or changing facilities to meet specified requirements; authorizing persons to enter a restroom or changing facility designated for the opposite sex only under certain circumstances; requiring covered entities to establish disciplinary procedures relating to restrooms and changing facilities; providing that specified persons are subject to discipline for refusing to depart certain restrooms and changing facilities under certain circumstances; providing that specified persons who enter certain restrooms or changing facilities and refuse to depart when asked to do so commit the criminal offense of trespass; providing applicability; requiring covered entities to submit specified compliance documentation to specified entities; authorizing persons to submit complaints to the Attorney General after a specified date relating to covered entities that fail to meet specified requirements; authorizing the Attorney General to bring enforcement actions after a specified date; authorizing civil penalties; requiring that certain funds be deposited in the General Revenue Fund; providing applicability; requiring the Department of Corrections, the Department of Juvenile Justice, and the State Board of Education to adopt rules; requiring the Board of Governors to adopt regulations; providing severability; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1674**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1521** was withdrawn from the Committee on Fiscal Policy.

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

CS for HB 1521—A bill to be entitled An act relating to facility requirements based on sex; creating s. 553.865, F.S.; providing a short title; providing legislative findings; providing definitions; providing requirements for exclusive use of restrooms by gender; providing requirements for exclusive use of changing facilities by gender; providing exceptions; prohibiting willfully entering a restroom or changing facility designated for the opposite sex and refusing to immediately depart when asked to do so by another person present there; providing criminal penalties; providing requirements for exclusive use of domestic violence centers by gender; providing requirements for correctional institutions; requiring entities that receive state licenses to submit compliance documentation; authorizing the Attorney General to bring enforcement actions; authorizing civil penalties; providing for certain funds to be deposited in the General Revenue Fund; providing an exception for individuals born with certain genetically or biochemically verifiable disorders of sex development; providing severability; providing an effective date.

—a companion measure, was substituted for **CS for SB 1674** and read the second time by title.

Senator Grall moved the following amendment:

Amendment 1 (730228) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 553.865, Florida Statutes, is created to read:

553.865 *Private spaces.*—

(1) *This section may be cited as the “Safety in Private Spaces Act.”*

(2) *The Legislature finds that females and males should be provided restrooms and changing facilities for their exclusive use, respective to their sex, in order to maintain public safety, decency, decorum, and privacy.*

(3) *As used in this section, the term:*

(a) *“Changing facility” means a room in which two or more persons may be in a state of undress in the presence of others, including, but not limited to, a dressing room, fitting room, locker room, changing room, or shower room.*

(b) *“Correctional institution” means any state correctional institution as defined in s. 944.02 or private correctional facility as defined in s. 944.710.*

(c) *“Covered entity” means any:*

1. *Correctional institution;*
2. *Detention facility;*
3. *Educational institution;*

4. *Juvenile correctional facility or juvenile prison as described in s. 985.465, any detention center or facility designated by the Department of Juvenile Justice to provide secure detention as defined in s. 985.03(18)(a), and any facility used for a residential program as described in s. 985.03(44)(b), (c), or (d); or*

5. *Public building.*

(d) *“Detention facility” means a county detention facility or municipal detention facility as those terms are defined in s. 951.23.*

(e) *“Educational institution” means a K-12 educational institution or facility or a postsecondary educational institution or facility.*

(f) *“Female” means a person belonging, at birth, to the biological sex which has the specific reproductive role of producing eggs.*

(g) *“K-12 educational institution or facility” means:*

1. *A school as defined in s. 1003.01(2) operated under the control of a district school board as defined in s. 1003.01(1);*
2. *The Florida School for the Deaf and the Blind as described in ss. 1000.04(4) and 1002.36;*
3. *A developmental research (laboratory) school established pursuant to s. 1002.32(2);*
4. *A charter school authorized under s. 1002.33; or*
5. *A private school as defined in s. 1002.01(2).*

(h) *“Male” means a person belonging, at birth, to the biological sex which has the specific reproductive role of producing sperm.*

(i) *“Postsecondary educational institution or facility” means:*

1. *A state university as defined in s. 1000.21(6);*
2. *A Florida College System institution as defined in s. 1000.21(3);*
3. *A school district career center as described in s. 1001.44(3);*
4. *A college or university licensed by the Commission for Independent Education pursuant to s. 1005.31(1)(a); or*

5. *An institution not under the jurisdiction or purview of the commission as identified in s. 1005.06(1)(b)-(f).*

(j) *“Public building” means a building comfort-conditioned for occupancy which is owned or leased by the state, a state agency, or a political subdivision. The term does not include a correctional institution, a detention facility, an educational institution, a juvenile correctional facility or juvenile prison as described in s. 985.465, a detention center or facility designated by the Department of Juvenile Justice to provide secure detention as defined in s. 985.03(18)(a), or any facility used for a residential program as described in s. 985.03(44)(b), (c), or (d).*

(k) *“Restroom” means a room that includes one or more water closets. This term does not include a unisex restroom.*

(l) *“Sex” means the classification of a person as either female or male based on the organization of the body of such person for a specific reproductive role, as indicated by the person’s sex chromosomes, naturally occurring sex hormones, and internal and external genitalia present at birth.*

(m) *“Unisex changing facility” means a room intended for a single occupant or a family in which one or more persons may be in a state of undress, including, but not limited to, a dressing room, fitting room, locker room, changing room, or shower room that is enclosed by floor-to-ceiling walls and accessed by a full door with a secure lock that prevents another individual from entering while the changing facility is in use.*

(n) *“Unisex restroom” means a room that includes one or more water closets and that is intended for a single occupant or a family, is enclosed by floor-to-ceiling walls, and is accessed by a full door with a secure lock that prevents another individual from entering while the room is in use.*

(o) *“Water closet” means a toilet or urinal.*

(4) *A covered entity that maintains a water closet must, at a minimum, have:*

(a) *A restroom designated for exclusive use by females and a restroom designated for exclusive use by males; or*

(b) *A unisex restroom.*

(5) *A covered entity that maintains a changing facility must, at a minimum, have:*

(a) *A changing facility designated for exclusive use by females and a changing facility designated for exclusive use by males; or*

(b) *A unisex changing facility.*

(6) *For purposes of this section, a person may only enter a restroom or changing facility designated for the opposite sex under the following circumstances:*

(a) *To accompany a person of the opposite sex for the purpose of assisting or chaperoning a child under the age of 12, an elderly person as defined in s. 825.101, or a person with a disability as defined in s. 760.22 or a developmental disability as defined in s. 393.063;*

(b) *For law enforcement or governmental regulatory purposes;*

(c) *For the purpose of rendering emergency medical assistance or to intervene in any other emergency situation where the health or safety of another person is at risk;*

(d) *For custodial, maintenance, or inspection purposes, provided that the restroom or changing facility is not in use; or*

(e) *If the appropriate designated restroom or changing facility is out of order or under repair and the restroom or changing facility designated for the opposite sex contains no person of the opposite sex.*

(7)(a) *Each correctional institution shall establish disciplinary procedures for any prisoner who willfully enters, for a purpose other than those listed in subsection (6), a restroom or changing facility designated for the opposite sex on the premises of the correctional institution and refuses to depart when asked to do so by any employee of the Department of Corrections or an employee of the correctional institution.*

(b) Any Department of Corrections employee or correctional institution employee who willfully enters, for a purpose other than those listed in subsection (6), a restroom or changing facility designated for the opposite sex on the premises of a correctional institution and refuses to depart when asked to do so by another Department of Corrections employee or correctional institution employee is subject to disciplinary action by the Department of Corrections.

(c) A person who willfully enters, for a purpose other than those listed in subsection (6), a restroom or changing facility designated for the opposite sex on the premises of a correctional institution and refuses to depart when asked to do so by an employee of the Department of Corrections or an employee of the correctional institution commits the offense of trespass as provided in s. 810.08. This paragraph does not apply to prisoners, Department of Corrections employees, or correctional institution employees.

(8)(a) Each detention facility shall establish disciplinary procedures for any prisoner who willfully enters, for a purpose other than those listed in subsection (6), a restroom or changing facility designated for the opposite sex on the premises of the detention facility and refuses to depart when asked to do so by any employee of the detention facility.

(b) Any detention facility employee who willfully enters, for a purpose other than those listed in subsection (6), a restroom or changing facility designated for the opposite sex on the premises of a detention facility and refuses to depart when asked to do so by another detention facility employee is subject to disciplinary action by the managing body of the detention facility.

(c) A person who willfully enters, for a purpose other than those listed in subsection (6), a restroom or changing facility designated for the opposite sex on the premises of a detention facility and refuses to depart when asked to do so by an employee of the detention facility commits the offense of trespass as provided in s. 810.08. This paragraph does not apply to prisoners, detention facility employees, or staff of the entity operating the detention facility.

(9)(a) Each educational institution shall, within its code of student conduct, establish disciplinary procedures for any student who willfully enters, for a purpose other than those listed in subsection (6), a restroom or changing facility designated for the opposite sex on the premises of the educational institution and refuses to depart when asked to do so by:

1. For a K-12 educational institution or facility, any instructional personnel as described in s. 1012.01(2), administrative personnel as described in s. 1012.01(3), or a safe-school officer as described in s. 1006.12(1)-(4) or, if the institution is a private school, any equivalent of such personnel or officer; or

2. For a postsecondary educational institution or facility, any administrative personnel, faculty member, security personnel, or law enforcement personnel.

(b) Instructional personnel or administrative personnel as those terms are described in s. 1012.01(2) and (3), respectively, for an educational institution, or the equivalent of such personnel for a private school, who willfully enter, for a purpose other than those listed in subsection (6), a restroom or changing facility designated for the opposite sex on the premises of the educational institution and refuse to depart when asked to do so by a person specified in subparagraph (a)1. or subparagraph (a)2. commit a violation of the Principles of Professional Conduct for the Education Profession and are subject to discipline pursuant to s. 1012.795.

(c) Instructional personnel or administrative personnel at a Florida College System institution or state university who willfully enter, for a purpose other than those listed in subsection (6), a restroom or changing facility designated for the opposite sex on the premises of the educational institution and refuse to depart when asked to do so by a person listed in subparagraph (a)2. are subject to disciplinary actions established in State Board of Education rule or Board of Governors regulation.

(d) Each postsecondary educational institution or facility defined under subparagraphs (3)(i)4. and 5. and private school defined under subparagraph (3)(g)5. shall establish a disciplinary policy for administrative personnel and instructional personnel who willfully enter, for a purpose other than those listed in subsection (6), a restroom or changing

facility designated for the opposite sex on the premises of the educational institution and refuse to depart when asked to do so by a person specified in subparagraph (a)1. or subparagraph (a)2.

(e) Any person who willfully enters, for a purpose other than those listed in subsection (6), a restroom or changing facility designated for the opposite sex on the premises of an educational institution and refuses to depart when asked to do so by a person specified in subparagraph (a)1. or subparagraph (a)2. commits the offense of trespass as provided in s. 810.08. This paragraph does not apply to a student of the educational institution or to administrative personnel or instructional personnel of the educational institution.

(10)(a) Each juvenile correctional facility or juvenile prison as described in s. 985.465, each detention center or facility designated by the Department of Juvenile Justice to provide secure detention as defined in s. 985.03(18)(a), and each facility used for a residential program as described in s. 985.03(44)(b), (c), or (d) shall establish disciplinary procedures for any juvenile as defined in s. 985.03(7) who willfully enters, for a purpose other than those listed in subsection (6), a restroom or changing facility designated for the opposite sex in such juvenile correctional facility, juvenile prison, secure detention center or facility, or residential program facility and refuses to depart when asked to do so by delinquency program staff, detention staff, or residential program staff.

(b) Any delinquency program staff member, detention staff member, or residential program staff member who willfully enters, for a purpose other than those listed in subsection (6), a restroom or changing facility designated for the opposite sex in a juvenile correctional facility, juvenile prison, secure detention center or facility, or residential program facility and refuses to depart when asked to do so by another delinquency program staff member, detention staff member, or residential program staff member is subject to disciplinary action by the Department of Juvenile Justice.

(c) A person who willfully enters, for a purpose other than those listed in subsection (6), a restroom or changing facility designated for the opposite sex on the premises of a juvenile correctional facility, juvenile prison, secure detention center or facility, or residential program facility and refuses to depart when asked to do so by delinquency program staff, detention staff, or residential program staff commits the offense of trespass as provided in s. 810.08. This paragraph does not apply to juveniles as defined in s. 985.03(7), delinquency program staff, detention staff, or residential program staff.

(11)(a) The applicable governmental entity shall, for each public building under its jurisdiction, establish disciplinary procedures for any employee of the governmental entity who willfully enters, for a purpose other than those listed in subsection (6), a restroom or changing facility designated for the opposite sex at such public building and refuses to depart when asked to do so by any other employee of the governmental entity.

(b) A person who willfully enters, for a purpose other than those listed in subsection (6), a restroom or changing facility designated for the opposite sex at a public building and refuses to depart when asked to do so by an employee of the governmental entity for the public building that is within the governmental entity's jurisdiction commits the offense of trespass as provided in s. 810.08. This paragraph does not apply to employees of governmental entities for such public building.

(12) A covered entity that is:

- (a) A correctional institution shall submit documentation to the Department of Corrections regarding compliance with subsections (4) and (5), as applicable, within 1 year after being established or, if such institution was established before July 1, 2023, no later than April 1, 2024.

- (b) A detention facility shall submit documentation to the applicable governing body of the county or municipality regarding compliance with subsections (4) and (5), as applicable, within 1 year after being established or, if such facility was established before July 1, 2023, no later than April 1, 2024.

- (c) A K-12 educational institution or facility, Florida College System institution as defined in s. 1000.21(3), or a school district career center as described in s. 1001.44(3) shall submit documentation to the State Board

of Education regarding compliance with subsections (4) and (5), as applicable, within 1 year after being established or, if such institution, facility, or center was established before July 1, 2023, no later than April 1, 2024.

(d) A state university as defined in s. 1000.21(6) shall submit documentation to the Board of Governors regarding compliance with subsections (4) and (5), as applicable, within 1 year after being established or, if such institution was established before July 1, 2023, no later than April 1, 2024.

(e) A postsecondary educational institution or facility as defined in subparagraph (3)(i)4. or subparagraph (3)(i)5. shall submit documentation to the Department of Education regarding compliance with subsections (4) and (5), as applicable, within 1 year of being established or, if such institution or facility was established before July 1, 2023, no later than April 1, 2024.

(f) A juvenile correctional facility or juvenile prison as described in s. 985.465, a detention center or facility designated by the Department of Juvenile Justice to provide secure detention as defined in s. 985.03(18)(a), or a facility used for a residential program as described in s. 985.03(44)(b), (c), or (d) shall submit documentation to the Department of Juvenile Justice regarding compliance with subsections (4) and (5), as applicable, within 1 year after being established or, if such institution or facility was established before July 1, 2023, no later than April 1, 2024.

(13) Beginning July 1, 2024, a person may submit a complaint to the Attorney General alleging that a covered entity failed to meet the minimum requirements for restrooms and changing facilities under subsection (4) or subsection (5).

(14)(a) A covered entity that fails to comply with subsection (4) or subsection (5) is subject to penalties under paragraph (b) and to licensure or regulatory disciplinary action, as applicable.

(b) Beginning July 1, 2024, the Attorney General may bring a civil action to enforce this section against any covered entity. The Attorney General may seek injunctive relief, and, for any covered entity found to have willfully violated this section, the Attorney General may seek to impose a fine of up to \$10,000.

(c) Fines collected pursuant to paragraph (b) must be deposited in the General Revenue Fund.

(15) This section does not apply to an individual who is or has been under treatment by a physician who, in his or her good faith clinical judgment, performs procedures upon or provides therapies to a minor born with a medically verifiable genetic disorder of sexual development, including any of the following:

(a) External biological sex characteristics that are unresolvably ambiguous.

(b) A disorder of sexual development in which the physician has determined through genetic or biochemical testing that the patient does not have a normal sex chromosome structure, sex steroid hormone production, or sex steroid hormone action for a male or female, as applicable.

(16) By January 1, 2024, the Department of Corrections, the Department of Juvenile Justice, and the State Board of Education shall each adopt rules establishing procedures, the Board of Governors shall adopt regulations establishing procedures, and the applicable governing body of a county or municipality in which a detention facility is located shall establish policies, to carry out this section and to ensure compliance with and enforcement of this section, including, but not limited to, the type, format, and method of delivery of the documentation required under subsection (12).

Section 2. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Section 3. 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 facility requirements based on sex; creating s. 553.865, F.S.; providing a short title; providing legislative findings; defining terms; requiring certain entities that maintain water closets or changing facilities to meet specified requirements; authorizing persons to enter a restroom or changing facility designated for the opposite sex only under certain circumstances; requiring covered entities to establish disciplinary procedures relating to restrooms and changing facilities; providing that specified persons are subject to discipline for refusing to depart certain restrooms and changing facilities under certain circumstances; providing that specified persons who enter certain restrooms or changing facilities and refuse to depart when asked to do so commit the criminal offense of trespass; providing applicability; requiring covered entities to submit specified compliance documentation to specified entities; authorizing persons to submit complaints to the Attorney General after a specified date relating to covered entities that fail to meet specified requirements; authorizing the Attorney General to bring enforcement actions after a specified date; authorizing civil penalties; requiring that certain funds be deposited in the General Revenue Fund; providing applicability; requiring the Department of Corrections, the Department of Juvenile Justice, and the State Board of Education to adopt rules; requiring the Board of Governors to adopt regulations; requiring certain governing bodies of counties or municipalities to establish specified procedures; providing severability; providing an effective date.

Senator Book moved the following amendment to **Amendment 1 (730228)** which failed:

Amendment 1A (267510) (with title amendment)—Before line 5 insert:

Section 1. Section 553.862, Florida Statutes, is created to read:

553.862 *Baby-changing table requirements.*—

(1) As used in this section, the term:

(a) “Baby-changing table” means a table or other device that is installed in a separate, designated location for the purpose of changing an infant’s or child’s diaper or clothing.

(b) “Building” means any of the following:

1. A theater.
2. A sports arena or stadium.
3. A convention center, auditorium, or exhibition hall.
4. A public library.
5. A passenger terminal.
6. An amusement park in a permanent location.
7. A restaurant with a seating capacity of at least 50 persons, except when there is a baby-changing table within 300 feet of the restaurant’s entrance.
8. A shopping center or shopping mall larger than 25,000 square feet.
9. A retail store larger than 5,000 square feet.

(c) “Restroom” has the same meaning as in s. 553.865.

(d) “Unisex restroom” has the same meaning as in s. 553.865.

(2) Pursuant to s. 553.73(1), the commission shall adopt by rule a requirement that a baby-changing table be available in every men’s restroom in any building that does not have a unisex restroom available.

And the title is amended as follows:

Between lines 369 and 370 insert: creating s. 553.862, F.S.; defining terms; requiring the Florida Building Commission to adopt a rule relating to baby-changing table requirements;

Senator Stewart moved the following amendment to **Amendment 1 (730228)** which failed:

Amendment 1B (748968)—Delete lines 66-67 and insert:
for occupancy which is owned or leased by the state or a state agency. The term does not include a

Senator Polsky moved the following amendment to **Amendment 1 (730228)** which failed:

Amendment 1C (416036)—Delete lines 128-269 and insert:
for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility designated for the opposite sex on the premises of the correctional institution and refuses to depart when asked to do so by any employee of the Department of Corrections or an employee of the correctional institution.

(b) Any Department of Corrections employee or correctional institution employee who willfully enters, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility designated for the opposite sex on the premises of a correctional institution and refuses to depart when asked to do so by another Department of Corrections employee or correctional institution employee is subject to disciplinary action by the Department of Corrections.

(c) A person who willfully enters, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility designated for the opposite sex on the premises of a correctional institution and refuses to depart when asked to do so by an employee of the Department of Corrections or an employee of the correctional institution commits the offense of trespass as provided in s. 810.08. This paragraph does not apply to prisoners, Department of Corrections employees, or correctional institution employees.

(8)(a) Each detention facility shall establish disciplinary procedures for any prisoner who willfully enters, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility designated for the opposite sex on the premises of the detention facility and refuses to depart when asked to do so by any employee of the detention facility.

(b) Any detention facility employee who willfully enters, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility designated for the opposite sex on the premises of a detention facility and refuses to depart when asked to do so by another detention facility employee is subject to disciplinary action by the managing body of the detention facility.

(c) A person who willfully enters, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility designated for the opposite sex on the premises of a detention facility and refuses to depart when asked to do so by an employee of the detention facility commits the offense of trespass as provided in s. 810.08. This paragraph does not apply to prisoners, detention facility employees, or staff of the entity operating the detention facility.

(9)(a) Each educational institution shall, within its code of student conduct, establish disciplinary procedures for any student who willfully enters, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility designated for the opposite sex on the premises of the educational institution and refuses to depart when asked to do so by:

1. For a K-12 educational institution or facility, any instructional personnel as described in s. 1012.01(2), administrative personnel as described in s. 1012.01(3), or a safe-school officer as described in s. 1006.12(1)-(4) or, if the institution is a private school, any equivalent of such personnel or officer; or

2. For a postsecondary educational institution or facility, any administrative personnel, faculty member, security personnel, or law enforcement personnel.

(b) Any instructional personnel or administrative personnel as those terms are described in s. 1012.01(2) and (3), respectively, for an educational institution, or the equivalent of such personnel for a private school, who willfully enters, for the purpose of arousing or gratifying a

sexual desire of himself or herself or any other person, a restroom or changing facility designated for the opposite sex on the premises of the educational institution and refuses to depart when asked to do so by a person specified in subparagraph (a)1. or subparagraph (a)2. commits a violation of the Principles of Professional Conduct for the Education Profession and is subject to discipline pursuant to s. 1012.795.

(c) Any instructional personnel or administrative personnel at a Florida College System institution or state university who willfully enters, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility designated for the opposite sex on the premises of the educational institution and refuses to depart when asked to do so by a person listed in subparagraph (a)2. is subject to disciplinary actions established in State Board of Education rule or Board of Governors regulation.

(d) Each postsecondary educational institution or facility defined under subparagraphs (3)(i)4. and 5. and private school defined under subparagraph (3)(g)5. shall establish a disciplinary policy for any administrative personnel and instructional personnel who willfully enters, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility designated for the opposite sex on the premises of the educational institution and refuses to depart when asked to do so by a person specified in subparagraph (a)1. or subparagraph (a)2.

(e) Any person who willfully enters, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility designated for the opposite sex on the premises of an educational institution and refuses to depart when asked to do so by a person specified in subparagraph (a)1. or subparagraph (a)2. commits the offense of trespass as provided in s. 810.08. This paragraph does not apply to a student of the educational institution or to administrative personnel or instructional personnel of the educational institution.

(10)(a) Each juvenile correctional facility or juvenile prison as described in s. 985.465, each detention center or facility designated by the Department of Juvenile Justice to provide secure detention as defined in s. 985.03(18)(a), and each facility used for a residential program as described in s. 985.03(44)(b), (c), or (d) shall establish disciplinary procedures for any juvenile as defined in s. 985.03(7) who willfully enters, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility designated for the opposite sex in such juvenile correctional facility, juvenile prison, secure detention center or facility, or residential program facility and refuses to depart when asked to do so by delinquency program staff, detention staff, or residential program staff.

(b) Any delinquency program staff member, detention staff member, or residential program staff member who willfully enters, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility designated for the opposite sex in a juvenile correctional facility, juvenile prison, secure detention center or facility, or residential program facility and refuses to depart when asked to do so by another delinquency program staff member, detention staff member, or residential program staff member is subject to disciplinary action by the Department of Juvenile Justice.

(c) A person who willfully enters, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility designated for the opposite sex on the premises of a juvenile correctional facility, juvenile prison, secure detention center or facility, or residential program facility and refuses to depart when asked to do so by delinquency program staff, detention staff, or residential program staff commits the offense of trespass as provided in s. 810.08. This paragraph does not apply to juveniles as defined in s. 985.03(7), delinquency program staff, detention staff, or residential program staff.

(11)(a) The applicable governmental entity shall, for each public building under its jurisdiction, establish disciplinary procedures for any employee of the governmental entity who willfully enters, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility designated for the opposite sex at such public building and refuses to depart when asked to do so by any other employee of the governmental entity.

(b) *A person who willfully enters, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility*

Senator Torres moved the following amendment to **Amendment 1 (730228)** which failed:

Amendment 1D (849276) (with title amendment)—Delete line 346 and insert:

(16) *This section does not apply to an individual who has been issued a valid government document indicating that the sex of the individual aligns with the designated sex of the restroom or changing facility being used by the individual. For a student enrolled in an educational institution, a school record indicating the student's sex is considered a valid government document for purposes of this subsection.*

(17) *By January 1, 2024, the Department of Corrections, the*

And the title is amended as follows:

Delete line 394 and insert: providing applicability; providing that certain school records are considered valid government documents for specified purposes; requiring the Department of

Senator Book moved the following amendment to **Amendment 1 (730228)** which failed:

Amendment 1E (652144) (with title amendment)—Between lines 355 and 356 insert:

(17) *A violation of this section by a transgender or non-binary person may not be the basis of a defense by a person who is charged with a criminal act against such transgender or non-binary person or be used to justify the conduct of a person who has committed a criminal offense against such transgender or non-binary person.*

And the title is amended as follows:

Delete line 399 and insert: to establish specified procedures; prohibiting the use of certain violations as the basis of a criminal defense or to justify a criminal act; providing

Senator Berman moved the following amendment to **Amendment 1 (730228)** which failed:

Amendment 1F (588604) (with title amendment)—Between lines 355 and 356 insert:

(17) *Notwithstanding any other law and the Florida Building Code, an educational institution may provide for unisex restrooms on the institution's premises. An educational institution providing for a unisex restroom on its premises pursuant to this subsection is not required to apply to the Department of Education for a waiver or variance for such restroom.*

And the title is amended as follows:

Delete line 394 and insert: to establish specified procedures; authorizing educational institutions to provide unisex restrooms; specifying educational institutions do not have to apply to the Department of Education for a waiver or variance for such restrooms; providing

Amendment 1 (730228) was adopted.

Pursuant to Rule 4.19, **CS for HB 1521**, as amended, was placed on the calendar of Bills on Third Reading.

MOTIONS

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

CS for SB 1412—A bill to be entitled An act relating to mental health; amending s. 394.461, F.S.; authorizing the Department of Children and Families to issue a conditional designation for up to a

certain number of days to allow the implementation of certain corrective measures by receiving facilities, treatment facilities, and receiving systems; amending s. 916.107, F.S.; requiring the sheriff to administer or to permit the department to administer the appropriate psychotropic medication to forensic clients before admission to a state mental health treatment facility; amending s. 916.12, F.S.; revising what an expert is required to specifically report on for recommended treatment for a defendant to attain competence to proceed, if the expert finds that a defendant is incompetent to proceed; providing report requirements; amending s. 916.13, F.S.; revising the circumstances under which every defendant who is charged with a felony and who is adjudicated incompetent to proceed may be involuntarily committed for treatment upon specified findings by the court; requiring a court to review the examining expert's report before issuing a commitment order; decreasing the timeframe in which an administrator or his or her designee is required to file a certain report with the court; requiring that a defendant be transported to the committing court's jurisdiction within a certain number of days after certain occurrences; requiring that the referring mental health facility transfer the defendant with medication and assist in discharge planning with medical teams at the receiving county jail to ensure continuity of care; reenacting ss. 394.658(1)(a), 916.106(9), and 916.17(1) and (2), F.S., relating to the Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program requirements; the definition of the term "forensic client" or "client"; and conditional release; respectively, to incorporate the amendment made to s. 916.13, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1412**, pursuant to Rule 3.11(3), there being no objection, **HB 1349** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Bradley—

HB 1349—A bill to be entitled An act relating to mental health treatment; amending s. 394.461, F.S.; authorizing the Department of Children and Families to issue a conditional designation to certain facilities for a limited period to allow such facilities to implement corrective measures; amending s. 916.107, F.S.; providing that forensic clients must receive psychiatric medication therapy before admission to a state mental health treatment facility in certain circumstances; authorizing the sheriff to administer such medication within a county jail; amending s. 916.12, F.S.; specifying some possible treatment alternatives appropriate for the mental illness of a criminal defendant who is incompetent to proceed; requiring an examining expert to report why alternative treatment options are inappropriate in certain circumstances; amending s. 916.13, F.S.; providing that a court order committing a defendant to the department may include certain information; requiring a court to determine that alternative treatment options have been fully considered and found insufficient; revising the deadline for a report on certain persons committed for treatment; revising provisions relating to competency hearings; providing an effective date.

—a companion measure, was substituted for **CS for SB 1412** and read the second time by title.

On motion by Senator Bradley, by two-thirds vote, **HB 1349** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Simon	Torres	Yarborough
Stewart	Trumbull	
Thompson	Wright	

Nays—None

Consideration of **CS for CS for SB 1430** was deferred.

SB 1446—A bill to be entitled An act relating to the interstate education compacts; creating s. 1012.993, F.S.; creating the Interstate Teacher Mobility Compact; providing the purpose and objectives of and definitions for the compact; providing requirements for the licensure of teachers in member states who hold specified licenses in other member states; providing requirements for teachers, including career and technical education teachers, who are licensed in one member state to become licensed in another member state; providing requirements for licensed teachers who are also eligible military spouses; providing requirements for the renewal of such licenses in the member state to which a teacher transferred his or her license; providing applicability; authorizing member states to require additional information for the purpose of determining teacher compensation; providing construction; providing requirements for licensure in a member state; providing requirements for the investigation or imposition of disciplinary measures and adverse actions for teachers; providing for the sharing and protection of certain information between member states; establishing the Interstate Teacher Mobility Compact Commission; providing the purpose of the commission; providing requirements for the membership and meetings of the commission; providing for the removal or suspension of commissioners; providing requirements, powers, and duties of the commission; authorizing the commission to adopt bylaws and rules; establishing the executive committee of the commission; providing for the membership and meetings of the executive committee; providing the duties and responsibilities of the committee; providing requirements for commission meetings; requiring the commission to keep specified records and minutes; requiring the commission to pay specified expenses; authorizing the commission to accept specified donations and grants; authorizing the commission to levy and collect annual assessments from member states or to impose fees on other parties for a specified purpose; prohibiting the commission from incurring specified obligations; providing specified immunity to certain individuals; providing exceptions; requiring the commission to defend specified individuals under certain circumstances; requiring the commission to indemnify certain individuals; providing exceptions; providing requirements for commission rules; providing requirements for the exchange of specified information between member states; providing requirements for the oversight of the commission and member states; providing for the resolution of disputes through specified means, including specified judicial proceedings; requiring courts and administrative agencies of member states to take judicial notice of the compact, commission rules, and certain information; providing requirements for the commission and member states when a member state has defaulted in its compliance with the compact; providing requirements for notice to such member states and other member states; providing requirements for member states that fail to cure such defaults; providing requirements for the termination of the compact for such member states; providing requirements for member states whose participation in the compact is terminated; providing requirements for the commission and member states relating to the resolution of certain disputes; providing requirements for the effectuation of the compact; providing requirements for the effectuation of certain rules and bylaws on member states; providing requirements for the withdrawal of member states from the compact; providing for construction and severability of the compact; providing for the consistent application of the compact in member states; providing that certain agreements are binding; amending s. 1000.36, F.S.; updating a cross-reference within the Interstate Compact on Educational Opportunity for Military Children; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1446**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1125** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Wright—

CS for HB 1125—A bill to be entitled An act relating to the interstate education compacts; creating s. 1012.993, F.S., creating the Interstate Teacher Mobility Compact; providing purpose and definitions for the compact; providing requirements for the licensure of teachers in member states who hold specified licenses in other member states; providing requirements for teachers who are licensed in one member state to become licensed in another member state, including career and technical education teachers; providing requirements for licensed teachers who are also eligible military spouses; providing requirements for the renewal of such licenses in the member state a teacher transferred his or her license to; providing applicability; authorizing member states to require additional information for the purpose of determining teacher compensation; providing construction; providing requirements a teacher must meet for licensure in a member state; providing requirements for the investigation or imposition of disciplinary measure and adverse actions for teachers; providing for the sharing and protection of certain information between member states; establishing the Interstate Teacher Mobility Compact Commission; providing purpose of the commission; providing requirements for the membership and meetings of the commission; providing for the removal or suspension of commissioners; providing requirements, powers, and duties of the commission; authorizing the commission to adopt bylaws and rules; establishing the executive committee of the commission; providing for the membership and meetings of the committee; providing the duties and responsibilities of the committee; providing meeting requirements for the commission; requiring the commission to keep specified records and minutes; requiring the commission to pay specified expenses; authorizing the commission to accept specified donations and grants; prohibiting the commission from incurring specified obligations; providing specified immunity to certain individuals; providing exceptions; requiring the commission to defend specified individuals under certain circumstances; requiring the commission to indemnify certain individuals; providing exceptions; providing requirements for the rules of the commission; providing requirements for the exchange of specified information between member states; providing requirements for the oversight of the commission and member states; providing for the resolution of disputes through specified means, including specified judicial proceedings; requiring courts and administrative agencies of member states to take specified actions; providing requirements for the commission and member states for member states that have defaulted in their performance of compact requirements; providing requirements for notifications to such member states; providing requirements for member states who fail to cure such defaults; providing requirements for the termination of the compact for such member states; providing requirements for member states whose participation in the compact is terminated; providing commission and member state requirements relating to the resolution of certain disputes; providing requirements for the compact to take effect; providing requirements for the effect of certain rules and bylaws on member states; providing requirements for member states to withdrawal from the compact; providing for construction and severability of the compact; providing for the consistent application of the compact in member states; providing that certain agreements are binding; amending s. 1000.36, F.S.; updating a cross-reference within the Interstate Compact on Educational Opportunity for Military Children; providing an effective date.

—a companion measure, was substituted for **SB 1446** and read the second time by title.

On motion by Senator Wright, by two-thirds vote, **CS for HB 1125** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Madam President	Burgess	Hooper
Albritton	Burton	Hutson
Avila	Calatayud	Ingoglia
Baxley	Collins	Jones
Berman	Davis	Martin
Book	DiCeglie	Mayfield
Boyd	Garcia	Osgood
Bradley	Grall	Perry
Brodeur	Gruters	Pizzo
Broxson	Harrell	Polsky

Powell	Stewart	Wright
Rodriguez	Thompson	Yarborough
Rouson	Torres	
Simon	Trumbull	

Nays—None

CS for CS for SB 1430—A bill to be entitled An act relating to education; amending s. 1002.20, F.S.; requiring school districts to annually review and confirm that specified information is accurate and up to date; requiring school districts to send a notification to parents under certain circumstances; authorizing students to possess and use certain medication while on school property or at a school-sponsored events; amending s. 1002.33, F.S.; providing clarifying language relating to admission and dismissal procedures for charter schools; amending s. 1002.42, F.S.; conforming a cross-reference; creating s. 1003.07, F.S.; creating the Year-round School Pilot Program for a period of 4 school years beginning with a specified school year; providing the purpose of the program; providing for an application process for participation in the program; requiring the Commissioner of Education to select a certain number of school districts to participate in the program; providing requirements for participating school districts; requiring the commissioner to submit a report to the Governor and Legislature; providing requirements for such report; authorizing the State Board of Education to adopt rules; amending s. 1003.42, F.S.; requiring the history of Asian Americans and Pacific Islanders to be included in specified instruction; providing requirements for such instruction; amending s. 1003.4282, F.S.; revising a graduation requirement for certain students; amending s. 1004.04, F.S.; revising the core curricula for certain teacher preparation programs; amending s. 1004.85, F.S.; revising terminology; deleting a requirement that certain certification programs be previously approved by the Department of Education; revising requirements for certain competency-based programs, certain teacher preparation field experience, and participants in certain teacher preparation programs; requiring the State Board of Education to adopt specified rules relating to the continued approval of certain teacher preparation programs rather than by a determination of the Commissioner of Education; amending s. 1005.04, F.S.; requiring certain institutions to include specified information relating to student fees and costs in a disclosure to prospective students; requiring certain institutions to provide information affirmatively demonstrating compliance with fair consumer practice requirements; creating s. 1005.11, F.S.; requiring the Commission for Independent Education to annually prepare an accountability report by a specified date; providing requirements for such report; requiring licensed institutions to annually provide certain data to the commission by a specified date; providing requirements for the determination of a specified rate; requiring the commission to establish a common set of data definitions; requiring the commission to impose administrative fines for an institution that fails to timely submit the data; providing requirements for such fines; providing authority for the commission to require certain data reporting by certain institutions; amending s. 1005.22, F.S.; revising the powers and duties of the commission; amending s. 1005.31, F.S.; revising the commission's evaluation standards for licensure of an institution; authorizing the commission to prohibit the enrollment of new students in, or limit the number of students in a program at, a licensed institution under certain circumstances; authorizing the commission to take specified actions relating to licensed institutions; authorizing the commission to establish certain benchmarks by rule; providing for the designation of certain licensed institutions as high performing; creating s. 1005.335, F.S.; requiring all programs at licensed institutions to be disclosed to the commission; requiring institutions to receive institutional accreditation prior to obtaining licensure for prelicensure professional nursing programs; requiring the commission to adopt rules; amending s. 1006.09, F.S.; providing requirements for searches of students' personal belongings; amending s. 1006.13, F.S.; creating a rebuttable presumption for certain disciplinary actions; amending s. 1006.148, F.S.; conforming a cross-reference; amending s. 1007.27, F.S.; revising the articulated acceleration mechanisms available to certain students; requiring the state board and Board of Governors to identify Florida College System institutions and state universities to develop certain courses and provide specified training; requiring the department to take specified actions relating to certain courses; authorizing the department to partner with specified organizations to develop certain assessments; providing for the award of credit to certain students; requiring the department to provide a report to the Legislature by a specified date; providing re-

quirements for such report; amending s. 1007.271, F.S.; requiring dual enrollment courses to be age and developmentally appropriate; amending s. 1007.35, F.S.; revising the responsibilities of the Florida Partnership for Minority and Underrepresented Student Achievement; conforming provisions to changes made by the act; amending s. 1008.22, F.S.; authorizing school districts to select the Classic Learning Test for an annual districtwide administration for certain students; amending s. 1008.34, F.S.; revising the calculation of school grades for certain schools; amending s. 1009.531, F.S.; revising the list of courses that receive additional weights for the purpose of calculating students' grade point averages when determining initial eligibility for a Florida Bright Futures Scholarship; authorizing students to earn a concordant score on the Classic Learning Test to meet the initial eligibility requirements for the Florida Bright Futures Scholarship Program; amending ss. 1009.534, 1009.535, and 1009.536, F.S.; authorizing students to use a combination of volunteer service hours and paid work hours to meet certain program eligibility requirements; providing that paid work hours completed on or after a specified date shall be used to meet certain program eligibility requirements; amending s. 1012.22, F.S.; authorizing district school boards to review and reappoint certain staff; amending s. 1012.34, F.S.; providing that school administrators are not precluded from taking specified actions; amending s. 1012.56, F.S.; revising requirements for a person seeking an educator certification; revising criteria for the award of a temporary certificate; revising the validity period for certain temporary certificates; deleting provisions relating to the department's ability to extend the validity period of certain temporary certificates; revising the requirements for the approval and administration of such programs; establishing professional education competency programs; requiring school districts to develop and maintain such a program; authorizing private schools and state-supported schools to develop and maintain such a program; amending s. 1012.57, F.S.; authorizing charter school governing boards to issue adjunct teaching certificates; requiring a charter school to post specified requirements on its website and annually report specified information relating to adjunct teaching certificates to the Department of Education; conforming a cross-reference; amending s. 1012.575, F.S.; conforming a cross-reference; amending s. 1012.585, F.S.; requiring certain applicants for the renewal of a professional certificate to earn specified college credit or inservice points; providing requirements for such credit or points; amending s. 1012.586, F.S.; conforming a cross-reference; amending s. 1012.98, F.S.; defining the term "professional learning"; prohibiting specified meetings from being considered professional learning and eligible for inservice points; providing and revising requirements for certain professional learning activities; revising department and school district duties relating to such activities; providing requirements for entities contracted with to provide professional learning services and inservice education for school districts; conforming a cross-reference and provisions to changes made by the act; amending s. 1012.986, F.S.; renaming the "William Cecil Golden Professional Development Program for School Leaders" as the "William Cecil Golden Professional Learning Program for School Leaders"; revising the goal of the program; amending s. 1013.62, F.S.; revising the charter school eligibility criteria for capital outlay funding; amending s. 1014.05, F.S.; conforming cross-references; authorizing certain students to meet specified assessment graduation requirements by earning specified concordant passing scores on specified assessments; providing for the future expiration of such provisions; providing a directive to the Division of Law Revision; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1430**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 1537** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Avila—

CS for CS for CS for HB 1537—A bill to be entitled An act relating to education; creating s. 683.335, F.S.; requiring the Governor to proclaim September 11 of each year as "9/11 Heroes' Day"; requiring the day to be observed in public schools and by public exercise; requiring certain middle and high school students to receive specified instruction; requiring the State Board of Education to adopt certain revised social studies standards; amending s. 1002.20, F.S.; requiring school districts to annually review and confirm specified information is accurate and up to date; requiring school districts to send a notification to parents under certain circumstances; authorizing students to possess and use certain medication while on school property or at a school-sponsored events;

amending s. 1002.33, F.S.; providing clarifying language relating to admission and dismissal procedures for charter schools; amending s. 1002.42, F.S.; conforming a cross-reference; creating s. 1003.07, F.S.; creating the Year-round School Pilot Program for a period of 4 school years beginning with a specified school year; providing the purpose of the program; providing for an application process for participation in the program; requiring the Commissioner of Education to select a certain number of school districts to participate in the program; providing requirements for participating school districts; requiring the commissioner to submit a report to the Governor and Legislature; providing requirements for such report; authorizing the State Board of Education to adopt rules; amending s. 1003.42, F.S.; requiring the history of Asian Americans and Pacific Islanders to be included in specified instruction; providing requirements for such instruction; amending s. 1003.4282, F.S.; revising a graduation requirement for certain students; amending s. 1004.04, F.S.; revising the core curricula for certain teacher preparation programs; amending s. 1004.85, F.S.; revising terminology; deleting a requirement that certain certification programs be previously approved by the Department of Education; revising requirements for certain competency-based programs, certain teacher preparation field experience, and participants in certain teacher preparation programs; requiring the State Board of Education to adopt specified rules relating to the continued approval of certain teacher preparation programs rather than by a determination of the Commissioner of Education; amending s. 1005.04, F.S.; requiring certain institutions to include specified information relating to student fees and costs in a disclosure to prospective students; requiring certain institutions to provide information affirmatively demonstrating compliance with fair consumer practice requirements; creating s. 1005.11, F.S.; requiring the Commission for Independent Education to annually prepare an accountability report by a specified date; providing requirements for such report; requiring licensed institutions to annually provide certain data to the commission by a specified date; providing requirements for the determination of a specified rate; requiring the commission to establish a common set of data definitions; requiring the commission to impose administrative fines for an institution that fails to timely submit the data; providing requirements for such fines; providing authority for the commission to require certain data reporting by certain institutions; amending s. 1005.22, F.S.; revising the powers and duties of the commission; amending s. 1005.31, F.S.; revising the commission's evaluation standards for licensure of an institution; authorizing the commission to prohibit the enrollment of new students, or limit the number of students in a program at, a licensed institution under certain circumstances; authorizing the commission to take specified actions relating to licensed institutions; authorizing the commission to establish certain benchmarks by rule; providing for the designation of certain licensed institutions as high performing; creating s. 1005.335, F.S.; requiring all programs at licensed institutions to be disclosed to the commission; requiring institutions to receive institutional accreditation prior to obtaining licensure for prelicensure professional nursing programs; requiring the commission to adopt rules; amending s. 1006.09, F.S.; providing requirements for searches of students' personal belongings; amending s. 1006.13, F.S.; creating a rebuttable presumption for certain disciplinary actions; amending s. 1006.148, F.S.; conforming a cross-reference; amending s. 1007.27, F.S.; revising the articulated acceleration mechanisms available to certain students; requiring the state board and Board of Governors to identify Florida College System institutions and state universities to develop certain courses and provide specified training; requiring the department to take specified actions relating to certain courses; authorizing the department to partner with specified organizations to develop certain assessments; providing for the award of credit to certain students; requiring the department to provide a report to the Legislature by a specified date; providing requirements for such report; amending s. 1007.271, F.S.; requiring dual enrollment courses to be age and developmentally appropriate; amending s. 1007.35, F.S.; revising the responsibilities of the Florida Partnership for Minority and Underrepresented Student Achievement; conforming provisions to changes made by the act; amending s. 1008.22, F.S.; authorizing school districts to select the Classic Learning Test for an annual districtwide administration for certain students; amending s. 1008.34, F.S.; revising the calculation of school grades for certain schools; amending s. 1009.531, F.S.; revising the list of courses that receive additional weights for the purpose of calculating students' grade point averages when determining initial eligibility for a Florida Bright Futures Scholarship; authorizing students to earn a concordant score on the Classic Learning Test to meet the initial eligibility requirements for the Florida Bright Futures Scholarship Program; amending ss.

1009.534, 1009.535, and 1009.536, F.S.; authorizing students to use a combination of volunteer service hours and paid work hours to meet certain program eligibility requirements; providing that paid work hours completed on or after a specified date shall be used to meet certain program eligibility requirements; amending s. 1012.22, F.S.; authorizing district school boards to review and reappoint certain staff; amending s. 1012.34, F.S.; providing school administrators are not precluded from taking specified actions; amending s. 1012.56, F.S.; revising requirements for a person seeking an educator certification; revising criteria for the award of a temporary certificate; revising the validity period for certain temporary certificates; deleting provisions relating to the department's ability to extend the validity period of certain temporary certificates; revising the requirements for the approval and administration of such programs; establishing professional education competency programs; requiring school districts to develop and maintain such a program; authorizing private schools and state-supported schools to develop and maintain such a program; amending s. 1012.57, F.S.; authorizing charter school governing boards to issue adjunct teaching certificates; requiring a charter school to post specified requirements on its website and annually report specified information relating to adjunct teaching certificates to the Department of Education; conforming a cross-reference; amending s. 1012.575, F.S.; conforming a cross-reference; amending s. 1012.585, F.S.; requiring certain applicants for the renewal of a professional certificate to earn specified college credit or inservice points; providing requirements for such credit or points; amending s. 1012.586, F.S.; conforming a cross-reference; amending s. 1012.98, F.S.; defining the term "professional learning"; prohibiting specified meetings from being considered professional learning and eligible for inservice points; providing and revising requirements for certain professional learning activities; revising department and school district duties relating to such activities; providing requirements for entities contracted with to provide professional learning services and inservice education for school districts; amending s. 1012.986, F.S.; renaming the "William Cecil Golden Professional Development Program for School Leaders" as the "William Cecil Golden Professional Learning Program for School Leaders"; revising the goal of the program; amending s. 1013.62, F.S.; revising the charter school eligibility criteria for capital outlay funding; amending s. 1014.05, F.S.; conforming a cross-reference; authorizing certain students to meet specified assessment graduation requirements by earning certain scores on specified assessments; providing for the future expiration of such provisions; providing a directive to the Division of Law Revision; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 1430** and read the second time by title.

Senator Avila moved the following amendment which was adopted:

Amendment 1 (797990) (with title amendment)—Delete lines 1655-1686.

And the title is amended as follows:

Delete lines 128-130 and insert: requirements; amending s. 1012.34, F.S.; providing school

Senator Simon moved the following amendment which was adopted:

Amendment 2 (864902)—Delete lines 2800-2801 and insert:
section, equal to or greater than 19 on the 1 to 36 scale on the ACT Reading section, or equal to or greater than 18 on the 1 to 36 scale for the average of the English and Reading subject test scores on the ACT. For the ACT, if the average of the two subject test scores results in a decimal of 0.5, the score must be rounded up to the next whole number. The scores for the English and Reading subject tests on the ACT are not required to come from the same test administration.

Senator Avila moved the following amendments which were adopted:

Amendment 3 (774200) (with title amendment)—Between lines 2855 and 2856 insert:

Section 39. *For the 2023-2024 fiscal year, the sum of \$1 million in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Education to be used for the procurement of bleeding control kits for placement in public schools across the state.*

And the title is amended as follows:

Delete line 179 and insert: provisions; providing an appropriation; providing a directive to the Division of

Amendment 4 (648866) (with title amendment)—Between lines 2860 and 2861 insert:

Section 40. *For the 2023-2024 fiscal year, the sum of \$5.8 million in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Education to be used for the competitive procurement of a statewide transparency tool to support the implementation of instructional and library materials requirements imposed in chapters 2022-21, 2022-22, and 2022-72, Laws of Florida.*

And the title is amended as follows:

Delete line 180 and insert: Law Revision; providing an appropriation; providing effective dates.

On motion by Senator Avila, by two-thirds vote, **CS for CS for CS for HB 1537**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

SB 1448—A bill to be entitled An act relating to public records and meetings; creating s. 1012.9931, F.S.; providing an exemption from public meetings requirements for certain portions of meetings of the Interstate Teacher Mobility Compact Commission and its executive committee; providing an exemption from public records requirements for recordings, minutes, and records generated during exempt portions of such meetings and for certain files and information relating to specified investigations; providing for future legislative review and repeal of the exemptions; providing statements of public necessity; providing a contingent effective date.

—was read the second time by title.

Pending further consideration of **SB 1448**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1127** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Wright—

CS for HB 1127—A bill to be entitled An act relating to public records and meetings; creating s. 1012.9931, F.S.; providing an exemption from public meetings requirements for certain portions of meetings of the Interstate Teacher Mobility Compact Commission and its executive committee; providing an exemption from public records requirements for recordings, minutes, and records generated during exempt portions of such meetings and for certain records relating to specified investigations; providing for future legislative review and repeal of the exemptions; providing statements of public necessity; providing a contingent effective date.

—a companion measure, was substituted for **SB 1448** and read the second time by title.

On motion by Senator Wright, by two-thirds vote, **CS for HB 1127** 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—40

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

Nays—None

CS for SB 1456—A bill to be entitled An act relating to firearm offenses; amending s. 775.087, F.S.; adding the conviction for committing or the attempt to commit a felony offense of human trafficking to the list of offenses during the commission of which if a person possesses a firearm, destructive device, a semiautomatic firearm and its high-capacity detachable box magazine, or a machine gun, such person is subject to a specified mandatory minimum term of imprisonment; conforming provisions to changes made by the act; amending s. 790.22, F.S.; increasing the maximum number of days of detention that a minor who violates specified provisions for a first, second, or subsequent offense may serve in a secure detention facility; amending s. 812.014, F.S.; increasing the criminal penalties and providing that it is grand theft of the second degree if the property stolen is a firearm and the offender has previously been convicted for grand theft of a firearm under a specified provision; conforming a provision to changes made by the act; amending s. 985.24, F.S.; requiring consideration of a juvenile's use of a firearm when determining detention; amending s. 985.245, F.S.; requiring the juvenile risk assessment instrument to consider a juvenile's unlawful use of a firearm; amending s. 985.25, F.S.; requiring a juvenile charged with an offense involving the possession or use of a firearm to be placed in secure detention care at a specified hearing; amending s. 985.26, F.S.; authorizing a court to extend the length of secure detention if a child is charged with an offense involving the possession or use of a firearm; amending s. 921.0022, F.S.; ranking offenses on the offense severity ranking chart of the Criminal Punishment Code; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1456**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1465** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Avila—

CS for HB 1465—A bill to be entitled An act relating to firearm and destructive device offenses; amending s. 775.087, F.S.; making an offense of human trafficking during which a person possesses a firearm or destructive device subject to a specified mandatory minimum term of imprisonment; conforming provisions to changes made by the act; making an offense of human trafficking during which a person possesses specified firearms or firearms accessories subject to a specified mandatory minimum term of imprisonment; amending s. 790.22, F.S.; revising the maximum time period a minor who commits unlawful firearm possession may be required to serve in secure detention; amending s. 812.014, F.S.; providing a penalty for a second or subsequent offense of grand theft of a firearm; amending s. 985.24, F.S.; requiring detention determination to consider a juvenile's unlawful firearm use; amending s. 985.245, F.S.; requiring the juvenile risk assessment instrument to consider a juvenile's unlawful firearm use; amending s. 985.25, F.S.; requiring a juvenile charged with an offense

involving unlawful firearm possession or use to be placed in secure detention; amending s. 985.26, F.S.; authorizing a court to extend the length of secure detention when a juvenile is charged with an offense involving the possession or use of a firearm; amending s. 921.0022, F.S.; ranking offenses on the offense severity ranking chart of the Criminal Punishment Code; conforming provisions to changes made by the act; providing an effective date.

—a companion measure, was substituted for **CS for SB 1456** and read the second time by title.

On motion by Senator Avila, by two-thirds vote, **CS for HB 1465** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

Madam President	Collins	Perry
Albritton	Davis	Pizzo
Avila	DiCeglie	Polsky
Baxley	Garcia	Powell
Berman	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	Yarborough

Nays—1

Osgood

CS for CS for SB 1482—A bill to be entitled An act relating to rural development; amending s. 215.971, F.S.; requiring certain agency agreements to include a provision authorizing the agency to provide for the payment of specified invoices to certain counties or municipalities for certain verified and eligible performance; providing intent; providing construction; amending s. 288.0655, F.S.; revising the percentages of total infrastructure project cost which the Department of Economic Opportunity may award through grants from the Rural Infrastructure Fund; providing authorized uses of eligible funds; deleting a provision requiring that eligible projects be related to specified opportunities; deleting provisions allowing eligible funds to be used for broadband Internet service and access; authorizing the department to award grants up to a specified amount for specified planning and preparation activities; deleting a restriction on dual grant awards being used which would exceed a specified percentage threshold; revising a provision that requires that awarded funds for specified surveys or other activities be matched with a specified amount of local funds; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1482**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 1209** was withdrawn from the Committee on Fiscal Policy.

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

CS for CS for CS for HB 1209—A bill to be entitled An act relating to economic development; amending s. 215.971, F.S.; requiring certain agency agreements to include a provision allowing the agency to provide for the payment of specified invoices; providing construction; amending s. 288.018, F.S.; removing the requirement that grants received by a regional economic development organization under the Regional Rural Development Grants Program must be matched in a certain manner; removing certain demonstration requirements of program applicants; amending s. 288.0655, F.S.; revising the percentage of certain project costs for which the department may award certain grants; revising limitations on the use of certain grants awarded by the department; amending s. 288.9604, F.S.; providing a date after which the Florida Development Finance Corporation may not enter into specified agree-

ments; removing the scheduled repeal of the corporation; amending s. 288.8017, F.S.; revising the purposes for which certain awards may be provided; amending s. 446.71, F.S.; providing definitions; revising the areas in which the department may provide grants through the Everglades Restoration Agricultural Community Employment Training Program; requiring the department to prioritize awarding employer-based grants to certain training programs; authorizing the use of certain grant funds for certain purposes; requiring the department to set aside a certain percentage of funds for a certain purpose; prohibiting the department from awarding employer-based grants in excess of a certain amount; revising residency requirements that a training program participant must meet to receive a certain grant from the department; revising the requirements for employer-based training programs established in the Everglades Agricultural Area or in certain rural areas of opportunity; providing that certain provisions shall control in the event of certain conflicts; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1482** and read the second time by title.

Senator Simon moved the following amendment which was adopted:

Amendment 1 (440924) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (h) is added to subsection (1) of section 215.971, Florida Statutes, to read:

215.971 Agreements funded with federal or state assistance.—

(1) An agency agreement that provides state financial assistance to a recipient or subrecipient, as those terms are defined in s. 215.97, or that provides federal financial assistance to a subrecipient, as defined by applicable United States Office of Management and Budget circulars, must include all of the following:

(h) *If the agency agreement provides federal or state financial assistance to a county or municipality that is a rural community or rural area of opportunity as those terms are defined in s. 288.0656(2), a provision allowing the agency to provide for the payment of invoices to the county, municipality, or rural area of opportunity as that term is defined in s. 288.0656(2), for verified and eligible performance that has been completed in accordance with the terms and conditions set forth in the agreement. This provision is included to alleviate the financial hardships that certain rural counties and municipalities encounter when administering agreements, and must be exercised by the agency when a county or municipality demonstrates financial hardship, to the extent that federal or state law, rule, or other regulation allows such payments. This paragraph may not be construed to alter or limit any other provisions of federal or state law, rule, or other regulation.*

Section 2. Paragraphs (b), (c), and (e) of subsection (2) and subsection (3) of section 288.0655, Florida Statutes, are amended to read:

288.0655 Rural Infrastructure Fund.—

(2)

(b) To facilitate access of rural communities and rural areas of opportunity as defined by the Rural Economic Development Initiative to infrastructure funding programs of the Federal Government, such as those offered by the United States Department of Agriculture and the United States Department of Commerce, and state programs, including those offered by Rural Economic Development Initiative agencies, and to facilitate local government or private infrastructure funding efforts, the department may award grants for up to 75 ~~50~~ percent of the total infrastructure project cost, *or up to 100 percent of the total infrastructure project cost for a project located in a rural community as defined in s. 288.0656(2) which is also located in a fiscally constrained county as defined in s. 218.67(1) or a rural area of opportunity as defined in s. 288.0656(2). Eligible projects must be related to specific job creation or job retention opportunities.* Eligible uses of funds ~~projects~~ may also include improving any inadequate infrastructure that has resulted in regulatory action that prohibits economic or community growth and; reducing the costs to community users of proposed infrastructure improvements that exceed such costs in comparable communities; ~~and improving access to and the availability of broadband Internet service.~~ Eligible uses of funds ~~shall~~ include improvements to public infra-

structure for industrial or commercial sites *and*; upgrades to or development of public tourism infrastructure, ~~and improvements to broadband Internet service and access in unserved or underserved rural communities. Improvements to broadband Internet service and access must be conducted through a partnership or partnerships with one or more dealers, as defined in s. 202.11(2), and the partnership or partnerships must be established through a competitive selection process that is publicly noticed.~~ Authorized infrastructure may include the following public or public-private partnership facilities: storm water systems; telecommunications facilities; ~~broadband facilities~~; roads or other remedies to transportation impediments; nature-based tourism facilities; or other physical requirements necessary to facilitate tourism, trade, and economic development activities in the community. Authorized infrastructure may also include publicly or privately owned self-powered nature-based tourism facilities, publicly owned telecommunications facilities, ~~and broadband facilities~~, and additions to the distribution facilities of the existing natural gas utility as defined in s. 366.04(3)(c), the existing electric utility as defined in s. 366.02, or the existing water or wastewater utility as defined in s. 367.021(12), or any other existing water or wastewater facility, which owns a gas or electric distribution system or a water or wastewater system in this state *when where*:

1. A contribution-in-aid of construction is required to serve public or public-private partnership facilities under the tariffs of any natural gas, electric, water, or wastewater utility as defined herein; and

2. Such utilities as defined herein are willing and able to provide such service.

(c) ~~To facilitate timely response and induce the location or expansion of specific job creating opportunities,~~ The department may award grants of up to \$300,000 for infrastructure feasibility studies, design and engineering activities, or other infrastructure planning and preparation activities. ~~Authorized grants shall be up to \$50,000 for an employment project with a business committed to create at least 100 jobs; up to \$150,000 for an employment project with a business committed to create at least 200 jobs; and up to \$300,000 for a project in a rural area of opportunity.~~ Grants awarded under this paragraph may be used in conjunction with grants awarded under paragraph (b), ~~provided that the total amount of both grants does not exceed 30 percent of the total project cost.~~ In evaluating applications under this paragraph, the department shall consider the extent to which the application seeks to minimize administrative and consultant expenses.

(e) To enable local governments to access the resources available pursuant to s. 403.973(18), the department may award grants for surveys, feasibility studies, and other activities related to the identification and preclearance review of land which is suitable for preclearance review. Authorized grants under this paragraph may not exceed \$75,000 each, except in the case of a project in a rural area of opportunity, in which case the grant may not exceed \$300,000. Any funds awarded under this paragraph must be matched at a level of 50 percent with local funds, except that any funds awarded for a project in a rural area of opportunity ~~do not require a match of~~ ~~must be matched at a level of 33 percent with~~ local funds. If an application for funding is for a catalyst site, as defined in s. 288.0656, the requirement for local match may be waived pursuant to the process in s. 288.06561. In evaluating applications under this paragraph, the department shall consider the extent to which the application seeks to minimize administrative and consultant expenses.

(3) The department, in consultation with Enterprise Florida, Inc., the Florida Tourism Industry Marketing Corporation, the Department of Environmental Protection, and the Florida Fish and Wildlife Conservation Commission, as appropriate, shall review and certify applications pursuant to s. 288.061. The review ~~must~~ ~~shall~~ include an evaluation of the economic benefit of the projects and their long-term viability. The department shall have final approval for any grant under this section.

Section 3. 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 rural development; amending s. 215.971, F.S.; requiring certain agency agreements to include a provision au-

thorizing the agency to provide for the payment of specified invoices to certain counties or municipalities for certain verified and eligible performance; providing intent; providing construction; amending s. 288.0655, F.S.; revising the percentages of total infrastructure project cost which the Department of Economic Opportunity may award through grants from the Rural Infrastructure Fund; revising authorized uses of eligible funds; deleting a provision requiring that eligible projects be related to specified opportunities; deleting provisions allowing eligible funds to be used for broadband Internet service and access; authorizing the department to award grants up to a specified amount for specified planning and preparation activities; deleting a restriction on dual grant awards being used which would exceed a specified percentage threshold; revising a provision that requires that awarded funds for specified surveys or other activities be matched with a specified amount of local funds; providing an effective date.

On motion by Senator Simon, by two-thirds vote, **CS for CS for CS for HB 1209**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

CS for SB 1578—A bill to be entitled An act relating to Florida Children's Initiatives; amending s. 409.147, F.S.; revising legislative findings; revising the definition of the term "resident"; revising the objectives for certain working groups; providing that the Florida Children's Initiatives are administratively housed in the Department of Children and Families but are not subject to certain control, supervision, or direction by the department; clarifying provisions relating to a corporation established for a specified purpose; revising legislative intent; clarifying provisions relating to the creation, implementation, and operation of Florida Children's Initiatives; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1578**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 625** was withdrawn from the Committee on Rules.

On motion by Senator Thompson—

CS for CS for HB 625—A bill to be entitled An act relating to children's initiative projects; amending s. 409.147, F.S.; revising legislative findings and intent; revising definitions; revising the objectives for specified working groups within the Florida Children's Initiatives; providing that such initiatives are administratively housed in the Department of Children and Families; exempting such initiatives from control, supervision, or direction by the department or any other state department; requiring such initiatives to be managed by not-for-profit corporations; conforming provisions to changes made by the act; providing an effective date.

—a companion measure, was substituted for **CS for SB 1578** and read the second time by title.

On motion by Senator Thompson, by two-thirds vote, **CS for CS for HB 625** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

CS for SB 1606—A bill to be entitled An act relating to the Florida Museum of Black History; creating s. 267.0722, F.S.; creating the Florida Museum of Black History Task Force within the Division of Historical Resources of the Department of State; providing for the appointment of task force members by the Governor and the Legislature; providing requirements for members of the task force; prohibiting compensation for members of the task force; providing that task force members are entitled to receive reimbursement for per diem and travel expenses; requiring the division to provide staff and expend funds as necessary to assist the task force; requiring the task force to develop certain plans and recommendations; requiring the task force to submit a report to the Governor and the Legislature before a certain date; providing for the expiration of the task force; authorizing the Legislature to consider the commissioning, construction, operation, and administration of a Florida Museum of Black History; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1606**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1441** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Powell—

CS for HB 1441—A bill to be entitled An act relating to a Florida Museum of Black History; creating s. 267.0722, F.S.; creating a Florida Museum of Black History Task Force within the Division of Historical Resources of the Department of State; providing for the appointment of task force members by the Governor and the Legislature; providing requirements for members of the task force; prohibiting compensation for members of the task force; providing that task force members are entitled to receive reimbursement for per diem and travel expenses; requiring the division to provide staff and expend funds as necessary to assist the task force; requiring the task force to develop certain plans and recommendations; requiring the task force to submit a report to the Governor and the Legislature before a certain date; providing for the expiration of the task force; authorizing the Legislature to consider the commissioning, construction, operation, and administration of a Florida Museum of Black History; providing an effective date.

—a companion measure, was substituted for **CS for SB 1606** and read the second time by title.

On motion by Senator Powell, by two-thirds vote, **CS for HB 1441** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

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

Nays—None

SPECIAL GUESTS

Senator Powell recognized Representative LaVon Bracy Davis who was present in the chamber in support of CS for SB 1606/CS for HB 1441, related to the Florida Museum of Black History.

CS for SB 522—A bill to be entitled An act relating to removal of unknown parties in possession; amending s. 48.184, F.S.; revising requirements for service on unknown parties in possession; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 522**, pursuant to Rule 3.11(3), there being no objection, **HB 441** was withdrawn from the Committee on Rules.

On motion by Senator Grall—

HB 441—A bill to be entitled An act relating to removal of unknown parties in possession; amending s. 48.184, F.S.; revising requirements for service on unknown parties in possession; providing an effective date.

—a companion measure, was substituted for **CS for SB 522** and read the second time by title.

On motion by Senator Grall, by two-thirds vote, **HB 441** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

CS for CS for SB 624—A bill to be entitled An act relating to liens and bonds; amending s. 255.05, F.S.; requiring the clerk of the court to serve a copy of a notice of contest of claim on certain persons after it has been recorded; requiring the clerk of the court to charge fees for such services as provided by law; revising when a notice of contest of claim against a payment bond must be served; requiring that a copy of a notice of nonpayment be served on the surety; revising the process for notarizing a notice of nonpayment; revising authorized alternative forms of security; requiring service of documents to be made in a specified manner; conforming provisions to changes made by the act; making technical changes; amending s. 337.18, F.S.; requiring service of documents to be made in a specified manner; conforming provisions to

changes made by the act; amending s. 713.01, F.S.; revising and providing definitions; creating s. 713.011, F.S.; providing for the computation of time when certain time periods fall on specified days or during an emergency; amending s. 713.10, F.S.; revising the extent of certain liens; amending s. 713.13, F.S.; conforming a cross-reference; revising the process for notarizing a notice of commencement; making technical changes; amending s. 713.132, F.S.; revising requirements for a notice of termination; revising when an owner may record a notice of termination; specifying when a notice of termination terminates a notice of commencement; amending s. 713.135, F.S.; providing a definition; providing applicability; revising the dollar threshold of an exception; providing immunity; making technical changes; amending s. 713.18, F.S.; requiring service of documents relating to construction bonds to be made in a specified manner; authorizing employees or agents of specified entities to receive service of certain documents; making technical changes; amending s. 713.21, F.S.; authorizing the full or partial release of a lien under specified conditions; making technical changes; amending s. 713.22, F.S.; requiring the clerk to serve a copy of a notice of contest of lien on certain persons after it has been recorded; requiring the clerk of the court to charge fees for such services as provided by law; making technical changes; amending s. 713.23, F.S.; requiring that a copy of a notice of nonpayment be served on the surety; revising the process for notarizing a notice of nonpayment under a payment bond; requiring the clerk to serve a copy of a notice of contest of lien on certain persons after it has been recorded; requiring the clerk of the court to charge fees for such services as provided by law; amending s. 713.24, F.S.; revising the amount required in addition to the deposit or bond which applies toward attorney fees and court costs; requiring the clerk to make a copy of the deposit or bond used to transfer a lien to other security and mail it to the lienor; making technical changes; repealing s. 713.25, F.S., relating to applicability of ch. 65-456, Laws of Florida; amending s. 713.29, F.S.; authorizing attorney fees in actions brought to enforce a lien that has been transferred to security; making technical changes; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 624**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 331** was withdrawn from the Committee on Rules.

On motion by Senator Grall—

CS for CS for HB 331—A bill to be entitled An act relating to liens and bonds; amending s. 255.05, F.S.; requiring the clerk to serve a copy of a notice of contest of claim on certain persons after it has been recorded; requiring the clerk of the court to charge fees for certain services; revising when a notice of contest of claim against a payment bond must be served; requiring that a copy of a notice of nonpayment be served on the surety; revising the process for notarizing a notice of nonpayment; revising authorized alternative forms of security; requiring service of documents to be made in a specified manner; conforming provisions to changes made by the act; making technical changes; amending s. 337.18, F.S.; requiring service of documents to be made in a specified manner; conforming provisions to changes made by the act; amending s. 713.01, F.S.; revising and providing definitions; creating s. 713.011, F.S.; providing for the computation of time when certain time periods fall on specified days or during an emergency; amending s. 713.10, F.S.; revising the extent of certain liens; amending s. 713.13, F.S.; revising the process for notarizing a notice of commencement; requiring the authority issuing a building permit to accept a recorded notice of commencement under certain circumstances; conforming a cross-reference; making technical changes; amending s. 713.132, F.S.; revising requirements for a notice of termination; revising when an owner may record a notice of termination; specifying when a notice of termination terminates a notice of commencement; amending s. 713.135, F.S.; providing a definition; providing applicability; revising the dollar threshold of an exception; providing immunity; amending s. 713.18, F.S.; requiring service of documents relating to construction bonds to be made in a specified manner; authorizing employees or agents of specified entities to receive service of certain documents; making technical changes; amending s. 713.21, F.S.; authorizing the full or partial release of a lien under specified conditions; making technical changes; amending s. 713.22, F.S.; requiring the clerk to serve a copy of a notice of contest of lien on certain persons after it has been recorded; requiring the clerk of the court to charge fees for certain services; making technical changes; amending s. 713.23, F.S.; requiring that a copy of a notice of nonpayment be served on the surety; revising

the process for notarizing a notice of nonpayment under a payment bond; requiring the clerk to serve a copy of a notice of contest of lien on certain persons after it has been recorded; requiring the clerk of the court to charge fees for certain services; amending s. 713.24, F.S.; revising the amount required in addition to the deposit or bond that applies toward attorney fees and court costs; requiring the clerk to make a copy of the deposit or bond used to transfer a lien to other security and mail it to the lienor; making technical changes; repealing s. 713.25, F.S., relating to applicability of ch. 65-456, Laws of Florida; amending s. 713.29, F.S.; authorizing attorney fees in actions brought to enforce a lien that has been transferred to security; making technical changes; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 624** and read the second time by title.

On motion by Senator Grall, by two-thirds vote, **CS for CS for HB 331** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

CS for CS for SB 1632—A bill to be entitled An act relating to environmental protection; creating s. 120.5436, F.S.; providing legislative intent; requiring the Department of Environmental Protection and water management districts to conduct a holistic review of certain permitting processes and programs; requiring the department to consult with the Department of Transportation in conducting its review; providing the scope and purpose of the review; providing the factors the Department of Environmental Protection and water management districts must consider when conducting the review; requiring the department and water management districts to submit a specified report to the Governor and Legislature by a specified date; amending s. 163.3177, F.S.; revising the required components of a local government comprehensive plan capital improvements element and general sanitary sewer, solid waste, drainage, potable water, and natural groundwater aquifer recharge element; making technical changes; requiring the update of comprehensive plans by a specified date; providing applicability; amending s. 253.025, F.S.; increasing the estimated value threshold of land acquisition agreements that are required to be submitted to and approved by the Board of Trustees of the Internal Improvement Trust Fund; removing the requirement that agreements to acquire initial lands for Florida Forever projects be submitted to and approved by the board of trustees; increasing the estimated value threshold for the appraisal of certain land acquisitions; requiring, rather than authorizing, the department to disclose appraisal reports to private landowners or their representatives during negotiations for certain land acquisitions; removing a provision requiring private landowners to maintain confidentiality of such reports; providing requirements for the assessment of property values; amending s. 259.032, F.S.; authorizing the board to acquire interests in lands that complete certain linkages within the Florida wildlife corridor; conforming a provision to changes made by the act; making technical changes; amending s. 259.105, F.S.; requiring the Department of Agriculture and Consumer Services to submit an updated priority list for the acquisition of certain agricultural lands to the Acquisition and Restoration Council by a specified date; providing construction; conforming cross-references; deleting an obsolete provision; requiring the council to give increased

priority to specified projects; creating s. 373.469, F.S.; providing legislative findings and intent; defining terms; providing the components of the Indian River Lagoon Protection Program; requiring the Department of Environmental Protection to evaluate and update the basin management action plans within the program at specified intervals; requiring the department, in coordination with specified entities, to identify and prioritize strategies and projects to achieve certain water quality standards and total maximum daily loads; requiring the department, in coordination with specified entities, to implement the Indian River Lagoon Watershed Research and Water Quality Monitoring Program for specified purposes; prohibiting the installation of new onsite sewage treatment and disposal systems beginning on a specified date under certain circumstances; requiring that commercial or residential properties with existing onsite sewage treatment and disposal systems be connected to central sewer or be upgraded to a certain system by a specified date; providing construction; authorizing the department and the governing boards of the St. Johns River Water Management District and the South Florida Water Management District to adopt rules; amending s. 373.501, F.S.; requiring, rather than authorizing, the department to transfer appropriated funds to the water management districts for specified purposes; requiring the districts to annually report to the department on the use of such funds; amending s. 373.802, F.S.; defining the term “enhanced nutrient-reducing onsite sewage treatment and disposal system”; amending s. 373.807, F.S.; conforming a cross-reference; revising requirements for onsite sewage treatment and disposal system remediation plans for springs; amending s. 373.811, F.S.; prohibiting new onsite sewage treatment and disposal systems within basin management action plans in effect for Outstanding Florida Springs under certain circumstances; authorizing the installation of enhanced or alternative systems for certain lots; amending s. 375.041, F.S.; requiring an annual appropriation from the Land Acquisition Trust Fund to the department for the acquisition of specified lands; deleting an obsolete provision; amending s. 381.0065, F.S.; defining the term “enhanced nutrient-reducing onsite sewage treatment and disposal system”; amending s. 381.00652, F.S.; requiring the onsite sewage treatment and disposal systems technical advisory committee to submit annual recommendations to the Governor and the Legislature; removing the scheduled expiration of the committee; amending s. 381.00655, F.S.; encouraging local governmental agencies that receive funding for connecting onsite sewage treatment and disposal systems to central sewer facilities to provide notice of the funding availability to certain owners of onsite sewage treatment and disposal systems and to maintain a website with certain information regarding the funding; reordering and amending s. 403.031, F.S.; defining and revising terms; amending s. 403.067, F.S.; revising requirements for new or revised basin management action plans; requiring that basin management action plans include 5-year milestones for implementation; requiring certain entities to identify projects or strategies to meet such milestones; prohibiting the installation of new onsite sewage treatment and disposal systems within specified areas under certain circumstances; requiring the installation of enhanced or alternative systems for certain lots; revising requirements for a basin management action plan’s cooperative agricultural regional water quality improvement element; amending s. 403.0673, F.S.; renaming the wastewater grant program as the water quality improvement grant program; revising the purposes of the grant program; specifying the projects for which the department may provide grants under the program; requiring the department to prioritize certain projects; requiring the department to coordinate with each water management district to annually identify projects; requiring the department to coordinate with specified entities to identify projects; revising reporting requirements; amending s. 403.086, F.S.; revising the waters that sewage disposal facilities are prohibited from disposing wastes into; amending s. 570.71, F.S.; requiring the Department of Agriculture and Consumer Services, in consultation with the Department of Environmental Protection, the water management districts, the Department of Economic Opportunity, and the Florida Fish and Wildlife Conservation Commission, to adopt rules giving funding priority and preference to specified lands; requiring the Department of Agriculture and Consumer Services to submit certain purchase agreements to the Board of Trustees of the Internal Improvement Trust Fund for approval; amending s. 570.715, F.S.; increasing the estimated value threshold for the appraisal of specified conservation easement acquisitions; requiring, rather than authorizing, the Department of Agriculture and Consumer Services to disclose appraisal reports to private landowners or their representatives during negotiations for certain land acquisitions; amending ss. 201.15, 259.105, 373.019, 373.4132, 373.414, 373.4142, 373.430, 373.4592, 403.890,

403.892, 403.9301, and 403.9302, F.S.; conforming cross-references and provisions to changes made by the act; reenacting s. 259.045(6), F.S., relating to the purchase of lands in areas of critical state concern, to incorporate the amendment made to s. 259.032, F.S., in a reference thereto; providing a declaration of important state interest; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1632**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1379** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Brodeur—

CS for CS for HB 1379—A bill to be entitled An act relating to environmental protection; amending s. 163.3177, F.S.; revising the required components of a local government comprehensive plan capital improvements element and general sanitary sewer, solid waste, drainage, potable water, and natural groundwater aquifer recharge element; making technical changes; requiring the update of comprehensive plans by a specified date; providing applicability; amending s. 253.025, F.S.; increasing the estimated value threshold of land acquisition agreements that are required to be submitted to and approved by the Board of Trustees of the Internal Improvement Trust Fund; removing the requirement that agreements to acquire initial lands for Florida Forever projects be submitted to and approved by the board of trustees; increasing the estimated value threshold for the appraisal of certain land acquisitions; requiring, rather than authorizing, the Department of Environmental Protection to disclose appraisal reports to private landowners or their representatives during negotiations for certain land acquisitions; removing a provision requiring private landowners to maintain confidentiality of such reports; specifying the authority of the board of trustees or the department, as applicable, to acquire certain parcels at full value as determined by the highest approved appraisal; amending s. 259.032, F.S.; authorizing the board of trustees to acquire interests in lands that complete certain linkages within the Florida wildlife corridor; conforming a provision to changes made by the act; making technical changes; amending s. 259.105, F.S.; requiring the Department of Agriculture and Consumer Services to submit an updated priority list for the acquisition of certain agricultural lands to the Acquisition and Restoration Council by a specified date; providing construction; conforming cross-references; deleting an obsolete provision; requiring the council to give increased priority to specified projects; creating s. 373.469, F.S.; providing legislative findings and intent; defining terms; providing the components of the Indian River Lagoon Protection Program; requiring the department to evaluate and update the basin management action plans within the program at specified intervals; requiring the department, in coordination with specified entities, to identify and prioritize strategies and projects to achieve certain water quality standards and total maximum daily loads; requiring the department, in coordination with specified entities, to implement the Indian River Lagoon Watershed Research and Water Quality Monitoring Program for specified purposes; prohibiting the installation of new onsite sewage treatment and disposal systems beginning on a specified date under certain circumstances; requiring that commercial or residential properties with existing onsite sewage treatment and disposal systems be connected to central sewer or be upgraded to a certain system by a specified date; providing construction; authorizing the department and the governing boards of the St. Johns River Water Management District and the South Florida Water Management District to adopt rules; amending s. 373.501, F.S.; requiring, rather than authorizing, the department to transfer appropriated funds to the water management districts for specified purposes; requiring the districts to annually report to the department on the use of such funds; amending s. 373.802, F.S.; defining the term “enhanced nutrient-reducing onsite sewage treatment and disposal system”; amending s. 373.807, F.S.; conforming a cross-reference; revising requirements for onsite sewage treatment and disposal system remediation plans for springs; amending s. 373.811, F.S.; prohibiting new onsite sewage treatment and disposal systems within basin management action plans in effect for Outstanding Florida Springs under certain circumstances; authorizing the installation of enhanced or alternative systems for certain lots; amending s. 375.041, F.S.; requiring an annual appropriation from the Land Acquisition Trust Fund to the department for the acquisition of specified lands; deleting an obsolete provision; amending s. 381.0065, F.S.; defining the term “enhanced nutrient-reducing onsite sewage treatment and disposal system”; amending s. 381.00655, F.S.; encour-

aging local governmental agencies that receive funding for connecting onsite sewage treatment and disposal systems to central sewer facilities to provide notice of the funding availability to certain owners of onsite sewage treatment and disposal systems and to maintain a website with certain information regarding the funding; reordering and amending s. 403.031, F.S.; defining and revising terms; amending s. 403.067, F.S.; revising requirements for new or revised basin management action plans; requiring that basin management action plans include 5-year milestones for implementation; requiring certain entities to identify projects or strategies to meet such milestones; prohibiting the installation of new onsite sewage treatment and disposal systems within specified areas under certain circumstances; requiring the installation of enhanced or alternative systems for certain lots; revising requirements for a basin management action plan's cooperative agricultural regional water quality improvement element; amending s. 403.0673, F.S.; renaming the wastewater grant program as the water quality improvement grant program; revising the purposes of the grant program; specifying the projects for which the department may provide grants under the program; requiring the department to prioritize certain projects; requiring the department to coordinate with each water management district to annually identify projects; requiring the department to coordinate with specified entities to identify projects; revising reporting requirements; amending s. 403.086, F.S.; revising the waters that sewage disposal facilities are prohibited from disposing wastes into; amending s. 570.71, F.S.; requiring the Department of Agriculture and Consumer Services, in consultation with the Department of Environmental Protection, the water management districts, the Department of Economic Opportunity, and the Florida Fish and Wildlife Conservation Commission, to adopt rules giving funding priority and preference to specified lands; requiring the Department of Agriculture and Consumer Services to submit certain purchase agreements to the Board of Trustees of the Internal Improvement Trust Fund for approval; amending s. 570.715, F.S.; increasing the estimated value threshold for the appraisal of specified conservation easement acquisitions; requiring, rather than authorizing, the Department of Agriculture and Consumer Services to disclose appraisal reports to private landowners or their representatives during negotiations for certain land acquisitions; amending ss. 201.15, 259.105, 373.019, 373.4132, 373.414, 373.4142, 373.430, 373.4592, 403.890, 403.892, 403.9301, and 403.9302, F.S.; conforming cross-references and provisions to changes made by the act; reenacting s. 259.045(6), F.S., relating to the purchase of lands in areas of critical state concern, to incorporate the amendment made to s. 259.032, F.S., in a reference thereto; providing a declaration of important state interest; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1632** and read the second time by title.

Senator Brodeur moved the following amendment which was adopted:

Amendment 1 (729674)—Delete lines 758-1881 and insert:
loads.—The department, in coordination with the Department of Agriculture and Consumer Services, the St. Johns River Water Management District, South Florida Water Management District, local governments, the Indian River Lagoon National Estuary Program, and other stakeholders, shall identify and prioritize strategies and projects necessary to achieve water quality standards within the Indian River Lagoon watershed and meet the total maximum daily loads. Projects identified from this evaluation must be incorporated into the Banana River Lagoon Basin Management Action Plan, Central Indian River Lagoon Basin Management Action Plan, North Indian River Lagoon Basin Management Action Plan, and Mosquito Lagoon Reasonable Assurance Plan, as appropriate.

(c) *Indian River Lagoon Watershed Research and Water Quality Monitoring Program.—The department, in coordination with the St. Johns River Water Management District, the South Florida Water Management District, and the Indian River Lagoon National Estuary Program, shall implement the Indian River Lagoon Watershed Research and Water Quality Monitoring Program to establish a comprehensive water quality monitoring network throughout the Indian River Lagoon and fund research pertaining to water quality, ecosystem restoration, and seagrass impacts and restoration. The department shall use the results from the program to prioritize projects and to make modifications to the Banana River Lagoon Basin Management Action Plan, Central Indian River Lagoon Basin Management Action Plan, North Indian River Lagoon Basin Management Action Plan, and Mosquito Lagoon Reasonable Assurance Plan, as appropriate.*

(d) *Onsite sewage treatment and disposal systems.—*

1. *Beginning on January 1, 2024, unless previously permitted, the installation of new onsite sewage treatment and disposal systems is prohibited within the Banana River Lagoon Basin Management Action Plan, Central Indian River Lagoon Basin Management Action Plan, North Indian River Lagoon Basin Management Action Plan, and Mosquito Lagoon Reasonable Assurance Plan areas where a publicly owned or investor-owned sewerage system is available as defined in s. 381.0065(2)(a). Where central sewerage is not available, only enhanced nutrient-reducing onsite sewage treatment and disposal systems or other wastewater treatment systems that achieve at least 65 percent nitrogen reduction are authorized.*

2. *By July 1, 2030, any commercial or residential property with an existing onsite sewage treatment and disposal system located within the Banana River Lagoon Basin Management Action Plan, Central Indian River Lagoon Basin Management Action Plan, North Indian River Lagoon Basin Management Action Plan, and Mosquito Lagoon Reasonable Assurance Plan areas must connect to central sewer if available or upgrade to an enhanced nutrient-reducing onsite sewage treatment and disposal system or other wastewater treatment system that achieves at least 65 percent nitrogen reduction.*

(4) **RELATIONSHIP TO STATE WATER QUALITY STANDARDS.**—*This section may not be construed to modify any existing state water quality standard or to modify s. 403.067(6) and (7)(a).*

(5) **PRESERVATION OF AUTHORITY.**—*This section may not be construed to restrict the authority otherwise granted to agencies pursuant to this chapter and chapter 403, and this section is supplemental to the authority granted to agencies pursuant to this chapter and chapter 403.*

(6) **RULES.**—*The department and governing boards of the St. Johns River Water Management District and South Florida Water Management District may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this section.*

Section 6. Subsection (1) of section 373.501, Florida Statutes, is amended to read:

373.501 Appropriation of funds to water management districts.—

(1) *The department shall transfer ~~may allocate~~ to the water management districts, ~~from~~ funds appropriated to the districts through the department in; such sums as ~~may be~~ deemed necessary to defray the costs of the administrative, regulatory, and other operational activities of the districts. The governing boards shall submit annual budget requests for such purposes to the department, and the department shall consider such budgets in preparing its budget request for the Legislature. The districts shall annually report to the department on the use of the funds.*

Section 7. Present subsections (2) through (8) of section 373.802, Florida Statutes, are redesignated as subsections (3) through (9), respectively, and a new subsection (2) is added to that section, to read:

373.802 Definitions.—As used in this part, the term:

(2) *“Enhanced nutrient-reducing onsite sewage treatment and disposal system” means an onsite sewage treatment and disposal system approved by the department as capable of meeting or exceeding a 50 percent total nitrogen reduction before disposal of wastewater in the drainfield, or at least 65 percent total nitrogen reduction combined from the onsite sewage tank or tanks and drainfield.*

Section 8. Subsections (2) and (3) of section 373.807, Florida Statutes, are amended to read:

373.807 Protection of water quality in Outstanding Florida Springs.—By July 1, 2016, the department shall initiate assessment, pursuant to s. 403.067(3), of Outstanding Florida Springs or spring systems for which an impairment determination has not been made under the numeric nutrient standards in effect for spring vents. Assessments must be completed by July 1, 2018.

(2) By July 1, 2017, each local government, as defined in s. 373.802(3) ~~s. 373.802(2)~~, that has not adopted an ordinance pursuant to

s. 403.9337, shall develop, enact, and implement an ordinance pursuant to that section. It is the intent of the Legislature that ordinances required to be adopted under this subsection reflect the latest scientific information, advancements, and technological improvements in the industry.

(3) As part of a basin management action plan that includes an Outstanding Florida Spring, the department, relevant local governments, and relevant local public and private wastewater utilities shall develop an onsite sewage treatment and disposal system remediation plan for a spring if the department determines onsite sewage treatment and disposal systems within a *basin management action plan priority focus area* contribute at least 20 percent of nonpoint source nitrogen pollution or if the department determines remediation is necessary to achieve the total maximum daily load. The plan ~~must~~ *shall* identify cost-effective and financially feasible projects necessary to reduce the nutrient impacts from onsite sewage treatment and disposal systems and shall be completed and adopted as part of the basin management action plan no later than the first 5-year milestone required by subparagraph (1)(b)8. The department is the lead agency in coordinating the preparation of and the adoption of the plan. The department shall:

(a) Collect and evaluate credible scientific information on the effect of nutrients, particularly forms of nitrogen, on springs and springs systems; and

(b) Develop a public education plan to provide area residents with reliable, understandable information about onsite sewage treatment and disposal systems and springs.

In addition to the requirements in s. 403.067, the plan ~~must~~ *shall* include options for repair, upgrade, replacement, drainfield modification, addition of effective nitrogen reducing features, connection to a central sewerage system, or other action for an onsite sewage treatment and disposal system or group of systems within a *basin management action plan priority focus area* that contribute at least 20 percent of nonpoint source nitrogen pollution or if the department determines remediation is necessary to achieve a total maximum daily load. For these systems, the department shall include in the plan a priority ranking for each system or group of systems that requires remediation and shall award funds to implement the remediation projects contingent on an appropriation in the General Appropriations Act, which may include all or part of the costs necessary for repair, upgrade, replacement, drainfield modification, addition of effective nitrogen reducing features, initial connection to a central sewerage system, or other action. In awarding funds, the department may consider expected nutrient reduction benefit per unit cost, size and scope of project, relative local financial contribution to the project, and the financial impact on property owners and the community. The department may waive matching funding requirements for proposed projects within an area designated as a rural area of opportunity under s. 288.0656.

Section 9. Section 373.811, Florida Statutes, is amended to read:

373.811 Prohibited activities within a *basin management action plan priority focus area*.—The following activities are prohibited within a *basin management action plan priority focus area* in effect for an Outstanding Florida Spring:

(1) New domestic wastewater disposal facilities, including rapid infiltration basins, with permitted capacities of 100,000 gallons per day or more, except for those facilities that meet an advanced wastewater treatment standard of no more than 3 mg/l total nitrogen, expressed as N, on an annual permitted basis, or a more stringent treatment standard if the department determines the more stringent standard is necessary to attain a total maximum daily load for the Outstanding Florida Spring.

(2) New onsite sewage treatment and disposal systems *where connection to a publicly owned or investor-owned sewerage system is available as defined in s. 381.0065(2)(a). On lots of 1 acre or less, if a publicly owned or investor-owned sewerage system is not available, only the installation of enhanced nutrient-reducing onsite sewage treatment and disposal systems or other wastewater treatment systems that achieve at least 65 percent nitrogen reduction are authorized on lots of less than 1 acre, if the addition of the specific systems conflicts with an onsite treatment and disposal system remediation plan incorporated into a basin management action plan in accordance with s. 373.807(3).*

(3) New facilities for the disposal of hazardous waste.

(4) The land application of Class A or Class B domestic wastewater biosolids not in accordance with a department approved nutrient management plan establishing the rate at which all biosolids, soil amendments, and sources of nutrients at the land application site can be applied to the land for crop production while minimizing the amount of pollutants and nutrients discharged to groundwater or waters of the state.

(5) New agriculture operations that do not implement best management practices, measures necessary to achieve pollution reduction levels established by the department, or groundwater monitoring plans approved by a water management district or the department.

Section 10. Subsection (3) of section 375.041, Florida Statutes, is amended to read:

375.041 Land Acquisition Trust Fund.—

(3) Funds distributed into the Land Acquisition Trust Fund pursuant to s. 201.15 shall be applied:

(a) First, to pay debt service or to fund debt service reserve funds, rebate obligations, or other amounts payable with respect to Florida Forever bonds issued under s. 215.618; and pay debt service, provide reserves, and pay rebate obligations and other amounts due with respect to Everglades restoration bonds issued under s. 215.619; and

(b) Of the funds remaining after the payments required under paragraph (a), but before funds may be appropriated, pledged, or dedicated for other uses:

1. A minimum of the lesser of 25 percent or \$200 million shall be appropriated annually for Everglades projects that implement the Comprehensive Everglades Restoration Plan as set forth in s. 373.470, including the Central Everglades Planning Project subject to congressional authorization; the Long-Term Plan as defined in s. 373.4592(2); and the Northern Everglades and Estuaries Protection Program as set forth in s. 373.4595. From these funds, \$32 million shall be distributed each fiscal year through the 2023-2024 fiscal year to the South Florida Water Management District for the Long-Term Plan as defined in s. 373.4592(2). After deducting the \$32 million distributed under this subparagraph, from the funds remaining, a minimum of the lesser of 76.5 percent or \$100 million shall be appropriated each fiscal year through the 2025-2026 fiscal year for the planning, design, engineering, and construction of the Comprehensive Everglades Restoration Plan as set forth in s. 373.470, including the Central Everglades Planning Project, the Everglades Agricultural Area Storage Reservoir Project, the Lake Okeechobee Watershed Project, the C-43 West Basin Storage Reservoir Project, the Indian River Lagoon-South Project, the Western Everglades Restoration Project, and the Picayune Strand Restoration Project. The Department of Environmental Protection and the South Florida Water Management District shall give preference to those Everglades restoration projects that reduce harmful discharges of water from Lake Okeechobee to the St. Lucie or Caloosahatchee estuaries in a timely manner. For the purpose of performing the calculation provided in this subparagraph, the amount of debt service paid pursuant to paragraph (a) for bonds issued after July 1, 2016, for the purposes set forth under this paragraph shall be added to the amount remaining after the payments required under paragraph (a). The amount of the distribution calculated shall then be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2016, for the purposes set forth under this subparagraph.

2. A minimum of the lesser of 7.6 percent or \$50 million shall be appropriated annually for spring restoration, protection, and management projects. For the purpose of performing the calculation provided in this subparagraph, the amount of debt service paid pursuant to paragraph (a) for bonds issued after July 1, 2016, for the purposes set forth under this paragraph shall be added to the amount remaining after the payments required under paragraph (a). The amount of the distribution calculated shall then be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2016, for the purposes set forth under this subparagraph.

3. The sum of \$5 million shall be appropriated annually each fiscal year through the 2025-2026 fiscal year to the St. Johns River Water

Management District for projects dedicated to the restoration of Lake Apopka. This distribution shall be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2016, for the purposes set forth in this subparagraph.

4. The sum of \$64 million is appropriated and shall be transferred to the Everglades Trust Fund for the 2018-2019 fiscal year, and each fiscal year thereafter, for the EAA reservoir project pursuant to s. 373.4598. Any funds remaining in any fiscal year shall be made available only for Phase II of the C-51 reservoir project or projects identified in subparagraph 1. and must be used in accordance with laws relating to such projects. Any funds made available for such purposes in a fiscal year are in addition to the amount appropriated under subparagraph 1. This distribution shall be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2017, for the purposes set forth in this subparagraph.

5. The sum of \$50 million shall be appropriated annually to the South Florida Water Management District for the Lake Okeechobee Watershed Restoration Project in accordance with s. 373.4599. This distribution must be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2021, for the purposes set forth in this subparagraph.

6. *The sum of \$100 million shall be appropriated annually to the Department of Environmental Protection for the acquisition of land pursuant to s. 259.105.* ~~Notwithstanding subparagraph 3., for the 2022-2023 fiscal year, funds shall be appropriated as provided in the General Appropriations Act. This subparagraph expires July 1, 2023.~~

Section 11. Present paragraphs (f) through (r) of subsection (2) of section 381.0065, Florida Statutes, are redesignated as paragraphs (g) through (s), respectively, a new paragraph (f) is added to that subsection, and paragraph (n) of subsection (4) of that section is amended, to read:

381.0065 Onsite sewage treatment and disposal systems; regulation.—

(2) DEFINITIONS.—As used in ss. 381.0065-381.0067, the term:

(f) “Enhanced nutrient-reducing onsite sewage treatment and disposal system” means an onsite sewage treatment and disposal system approved by the department as capable of meeting or exceeding a 50 percent total nitrogen reduction before disposal of wastewater in the drainfield, or at least 65 percent total nitrogen reduction combined from the onsite sewage tank or tanks and drainfield.

(4) PERMITS; INSTALLATION; CONDITIONS.—A person may not construct, repair, modify, abandon, or operate an onsite sewage treatment and disposal system without first obtaining a permit approved by the department. The department may issue permits to carry out this section, except that the issuance of a permit for work seaward of the coastal construction control line established under s. 161.053 shall be contingent upon receipt of any required coastal construction control line permit from the department. A construction permit is valid for 18 months after the date of issuance and may be extended by the department for one 90-day period under rules adopted by the department. A repair permit is valid for 90 days after the date of issuance. An operating permit must be obtained before the use of any aerobic treatment unit or if the establishment generates commercial waste. Buildings or establishments that use an aerobic treatment unit or generate commercial waste shall be inspected by the department at least annually to assure compliance with the terms of the operating permit. The operating permit for a commercial wastewater system is valid for 1 year after the date of issuance and must be renewed annually. The operating permit for an aerobic treatment unit is valid for 2 years after the date of issuance and must be renewed every 2 years. If all information pertaining to the siting, location, and installation conditions or repair of an onsite sewage treatment and disposal system remains the same, a construction or repair permit for the onsite sewage treatment and disposal system may be transferred to another person, if the transferee files, within 60 days after the transfer of ownership, an amended application providing all corrected information and proof of ownership of the property. A fee is not associated with the processing of this supplemental information. A person may not contract to construct, modify, alter, repair, service, abandon, or maintain any portion of an onsite sewage treatment and disposal system without being registered under

part III of chapter 489. A property owner who personally performs construction, maintenance, or repairs to a system serving his or her own owner-occupied single-family residence is exempt from registration requirements for performing such construction, maintenance, or repairs on that residence, but is subject to all permitting requirements. A municipality or political subdivision of the state may not issue a building or plumbing permit for any building that requires the use of an onsite sewage treatment and disposal system unless the owner or builder has received a construction permit for such system from the department. A building or structure may not be occupied and a municipality, political subdivision, or any state or federal agency may not authorize occupancy until the department approves the final installation of the onsite sewage treatment and disposal system. A municipality or political subdivision of the state may not approve any change in occupancy or tenancy of a building that uses an onsite sewage treatment and disposal system until the department has reviewed the use of the system with the proposed change, approved the change, and amended the operating permit.

(n) Evaluations for determining the seasonal high-water table elevations or the suitability of soils for the use of a new onsite sewage treatment and disposal system shall be performed by department personnel, professional engineers registered in the state, or such other persons with expertise, as defined by rule, in making such evaluations. Evaluations for determining mean annual flood lines shall be performed by those persons identified in paragraph (2)(l) ~~(2)(k)~~. The department shall accept evaluations submitted by professional engineers and such other persons as meet the expertise established by this section or by rule unless the department has a reasonable scientific basis for questioning the accuracy or completeness of the evaluation.

Section 12. Subsection (3) is added to section 381.00655, Florida Statutes, to read:

381.00655 Connection of existing onsite sewage treatment and disposal systems to central sewerage system; requirements.—

(3) *Local governmental agencies, as defined in s. 403.1835(2), that receive grants or loans from the department to offset the cost of connecting onsite sewage treatment and disposal systems to publicly owned or investor-owned sewerage systems are encouraged to do all of the following while such funds remain available:*

(a) *Identify the owners of onsite sewage treatment and disposal systems within the jurisdiction of the respective local governmental agency who are eligible to apply for the grant or loan funds and notify such owners of the funding availability.*

(b) *Maintain a publicly available website with information relating to the availability of the grant or loan funds, including the amount of funds available and information on how the owner of an onsite sewage treatment and disposal system may apply for such funds.*

Section 13. Section 403.031, Florida Statutes, is reordered and amended to read:

403.031 Definitions.—In construing this chapter, or rules and regulations adopted pursuant hereto, the following words, phrases, or terms, unless the context otherwise indicates, have the following meanings:

(1) “Contaminant” is any substance which is harmful to plant, animal, or human life.

(2) “Department” means the Department of Environmental Protection.

(3) “Effluent limitations” means any restriction established by the department on quantities, rates, or concentrations of chemical, physical, biological, or other constituents which are discharged from sources into waters of the state.

(5) “Enhanced nutrient-reducing onsite sewage treatment and disposal system” means an onsite sewage treatment and disposal system approved by the department as capable of meeting or exceeding a 50 percent total nitrogen reduction before disposal of wastewater in the drainfield, or at least 65 percent total nitrogen reduction combined from the onsite sewage tank or tanks and drainfield.

(6)(4) “Installation” means ~~is~~ any structure, equipment, or facility, or appurtenances thereto, or operation which may emit air or water contaminants in quantities prohibited by rules of the department.

(7) “Nutrient or nutrient-related standards” means water quality standards and criteria established for total nitrogen and total phosphorous, or their organic or inorganic forms; biological variables, such as chlorophyll-a, biomass, or the structure of the phytoplankton, periphyton, or vascular plant community, that respond to a nutrient load or concentration in a predictable and measurable manner; or dissolved oxygen if it is demonstrated for the waterbody that dissolved oxygen conditions result in a biological imbalance and the dissolved oxygen responds to a nutrient load or concentration in a predictable and measurable manner.

(8) “Onsite sewage treatment and disposal system” means a system that contains a standard subsurface, filled, or mound drainfield system; an aerobic treatment unit; a graywater system tank; a laundry wastewater system tank; a septic tank; a grease interceptor; a pump tank; a solids or effluent pump; a waterless, incinerating, or organic waste-composting toilet; or a sanitary pit privy that is installed or proposed to be installed beyond the building sewer on land of the owner or on other land to which the owner has the legal right to install a system. The term includes any item placed within, or intended to be used as a part of or in conjunction with, the system. The term does not include package sewage treatment facilities and other treatment works regulated under chapter 403.

(9)(5) “Person” means the state or any agency or institution thereof, the United States or any agency or institution thereof, or any municipality, political subdivision, public or private corporation, individual, partnership, association, or other entity and includes any officer or governing or managing body of the state, the United States, any agency, any municipality, political subdivision, or public or private corporation.

(10)(6) “Plant” is any unit operation, complex, area, or multiple of unit operations that produce, process, or cause to be processed any materials, the processing of which can, or may, cause air or water pollution.

(11)(7) “Pollution” is the presence in the outdoor atmosphere or waters of the state of any substances, contaminants, noise, or manmade or human-induced impairment of air or waters or alteration of the chemical, physical, biological, or radiological integrity of air or water in quantities or at levels which are or may be potentially harmful or injurious to human health or welfare, animal or plant life, or property or which unreasonably interfere with the enjoyment of life or property, including outdoor recreation unless authorized by applicable law.

(12)(8) “Pollution prevention” means the steps taken by a potential generator of contamination or pollution to eliminate or reduce the contamination or pollution before it is discharged into the environment. The term includes nonmandatory steps taken to use alternative forms of energy, conserve or reduce the use of energy, substitute nontoxic materials for toxic materials, conserve or reduce the use of toxic materials and raw materials, reformulate products, modify manufacturing or other processes, improve in-plant maintenance and operations, implement environmental planning before expanding a facility, and recycle toxic or other raw materials.

(14)(9) “Sewerage system” means pipelines or conduits, pumping stations, and force mains and all other structures, devices, appurtenances, and facilities used for collecting or conducting wastes to an ultimate point for treatment or disposal.

(15)(10) “Source” means ~~is~~ any and all points of origin of a contaminant ~~the item defined in subsection (1)~~, whether privately or publicly owned or operated.

(21)(11) “Treatment works” and “disposal systems” mean any plant or other works used for the purpose of treating, stabilizing, or holding wastes.

(22)(12) “Wastes” means sewage, industrial wastes, and all other liquid, gaseous, solid, radioactive, or other substances which may pollute or tend to pollute any waters of the state.

(23)(13) “Waters” include, but are not limited to, rivers, lakes, streams, springs, impoundments, wetlands, and all other waters or bodies of water, including fresh, brackish, saline, tidal, surface, or underground waters. Waters owned entirely by one person other than the state are included only in regard to possible discharge on other property or water. Underground waters include, but are not limited to, all underground waters passing through pores of rock or soils or flowing through in channels, whether manmade or natural. Solely for purposes of s. 403.0885, waters of the state also include navigable waters or waters of the contiguous zone as used in s. 502 of the Clean Water Act, as amended, 33 U.S.C. ss. 1251 et seq., as in existence on January 1, 1993, except for those navigable waters seaward of the boundaries of the state set forth in s. 1, Art. II of the State Constitution. Solely for purposes of this chapter, waters of the state also include the area bounded by the following:

(a) Commence at the intersection of State Road (SRD) 5 (U.S. 1) and the county line dividing Miami-Dade and Monroe Counties, said point also being the mean high-water line of Florida Bay, located in section 4, township 60 south, range 39 east of the Tallahassee Meridian for the point of beginning. From said point of beginning, thence run northwesterly along said SRD 5 to an intersection with the north line of section 18, township 58 south, range 39 east; thence run westerly to a point marking the southeast corner of section 12, township 58 south, range 37 east, said point also lying on the east boundary of the Everglades National Park; thence run north along the east boundary of the aforementioned Everglades National Park to a point marking the northeast corner of section 1, township 58 south, range 37 east; thence run west along said park to a point marking the northwest corner of said section 1; thence run northerly along said park to a point marking the northwest corner of section 24, township 57 south, range 37 east; thence run westerly along the south lines of sections 14, 15, and 16 to the southwest corner of section 16; thence leaving the Everglades National Park boundary run northerly along the west line of section 16 to the northwest corner of section 16; thence east along the northerly line of section 16 to a point at the intersection of the east one-half and west one-half of section 9; thence northerly along the line separating the east one-half and the west one-half of sections 9, 4, 33, and 28; thence run easterly along the north line of section 28 to the northeast corner of section 28; thence run northerly along the west line of section 22 to the northwest corner of section 22; thence easterly along the north line of section 22 to a point at the intersection of the east one-half and west one-half of section 15; thence run northerly along said line to the point of intersection with the north line of section 15; thence easterly along the north line of section 15 to the northeast corner of section 15; thence run northerly along the west lines of sections 11 and 2 to the northwest corner of section 2; thence run easterly along the north lines of sections 2 and 1 to the northeast corner of section 1, township 56 south, range 37 east; thence run north along the east line of section 36, township 55 south, range 37 east to the northeast corner of section 36; thence run west along the north line of section 36 to the northwest corner of section 36; thence run north along the west line of section 25 to the northwest corner of section 25; thence run west along the north line of section 26 to the northwest corner of section 26; thence run north along the west line of section 23 to the northwest corner of section 23; thence run easterly along the north line of section 23 to the northeast corner of section 23; thence run north along the west line of section 13 to the northwest corner of section 13; thence run east along the north line of section 13 to a point of intersection with the west line of the southeast one-quarter of section 12; thence run north along the west line of the southeast one-quarter of section 12 to the northwest corner of the southeast one-quarter of section 12; thence run east along the north line of the southeast one-quarter of section 12 to the point of intersection with the east line of section 12; thence run east along the south line of the northwest one-quarter of section 7 to the southeast corner of the northwest one-quarter of section 7; thence run north along the east line of the northwest one-quarter of section 7 to the point of intersection with the north line of section 7; thence run northerly along the west line of the southeast one-quarter of section 6 to the northwest corner of the southeast one-quarter of section 6; thence run east along the north lines of the southeast one-quarter of section 6 and the southwest one-quarter of section 5 to the northeast corner of the southwest one-quarter of section 5; thence run northerly along the east line of the northwest one-quarter of section 5 to the point of intersection with the north line of section 5; thence run northerly along the line dividing the east one-half and the west one-half of Lot 5 to a point intersecting the north line of Lot 5; thence run east along the north line of Lot 5 to the northeast

corner of Lot 5, township 54 1/2 south, range 38 east; thence run north along the west line of section 33, township 54 south, range 38 east to a point intersecting the northwest corner of the southwest one-quarter of section 33; thence run easterly along the north line of the southwest one-quarter of section 33 to the northeast corner of the southwest one-quarter of section 33; thence run north along the west line of the northeast one-quarter of section 33 to a point intersecting the north line of section 33; thence run easterly along the north line of section 33 to the northeast corner of section 33; thence run northerly along the west line of section 27 to a point intersecting the northwest corner of the southwest one-quarter of section 27; thence run easterly to the northeast corner of the southwest one-quarter of section 27; thence run northerly along the west line of the northeast one-quarter of section 27 to a point intersecting the north line of section 27; thence run west along the north line of section 27 to the northwest corner of section 27; thence run north along the west lines of sections 22 and 15 to the northwest corner of section 15; thence run easterly along the north lines of sections 15 and 14 to the point of intersection with the L-31N Levee, said intersection located near the southeast corner of section 11, township 54 south, range 38 east; thence run northerly along Levee L-31N crossing SRD 90 (U.S. 41 Tamiami Trail) to an intersection common to Levees L-31N, L-29, and L-30, said intersection located near the southeast corner of section 2, township 54 south, range 38 east; thence run northeasterly, northerly, and northeasterly along Levee L-30 to a point of intersection with the Miami-Dade/Broward Levee, said intersection located near the northeast corner of section 17, township 52 south, range 39 east; thence run due east to a point of intersection with SRD 27 (Krome Ave.); thence run northeasterly along SRD 27 to an intersection with SRD 25 (U.S. 27), said intersection located in section 3, township 52 south, range 39 east; thence run northerly along said SRD 25, entering into Broward County, to an intersection with SRD 84 at Andytown; thence run southeasterly along the aforementioned SRD 84 to an intersection with the southwesterly prolongation of Levee L-35A, said intersection being located in the northeast one-quarter of section 5, township 50 south, range 40 east; thence run northeasterly along Levee L-35A to an intersection of Levee L-36, said intersection located near the southeast corner of section 12, township 49 south, range 40 east; thence run northerly along Levee L-36, entering into Palm Beach County, to an intersection common to said Levees L-36, L-39, and L-40, said intersection located near the west quarter corner of section 19, township 47 south, range 41 east; thence run northeasterly, easterly, and northerly along Levee L-40, said Levee L-40 being the easterly boundary of the Loxahatchee National Wildlife Refuge, to an intersection with SRD 80 (U.S. 441), said intersection located near the southeast corner of section 32, township 43 south, range 40 east; thence run westerly along the aforementioned SRD 80 to a point marking the intersection of said road and the northeasterly prolongation of Levee L-7, said Levee L-7 being the westerly boundary of the Loxahatchee National Wildlife Refuge; thence run southwesterly and southerly along said Levee L-7 to an intersection common to Levees L-7, L-15 (Hillsborough Canal), and L-6; thence run southwesterly along Levee L-6 to an intersection common to Levee L-6, SRD 25 (U.S. 27), and Levee L-5, said intersection being located near the northwest corner of section 27, township 47 south, range 38 east; thence run westerly along the aforementioned Levee L-5 to a point intersecting the east line of range 36 east; thence run northerly along said range line to a point marking the northeast corner of section 1, township 47 south, range 36 east; thence run westerly along the north line of township 47 south, to an intersection with Levee L-23/24 (Miami Canal); thence run northwesterly along the Miami Canal Levee to a point intersecting the north line of section 22, township 46 south, range 35 east; thence run westerly to a point marking the northwest corner of section 21, township 46 south, range 35 east; thence run southerly to the southwest corner of said section 21; thence run westerly to a point marking the northwest corner of section 30, township 46 south, range 35 east, said point also being on the line dividing Palm Beach and Hendry Counties; from said point, thence run southerly along said county line to a point marking the intersection of Broward, Hendry, and Collier Counties, said point also being the northeast corner of section 1, township 49 south, range 34 east; thence run westerly along the line dividing Hendry and Collier Counties and continuing along the prolongation thereof to a point marking the southwest corner of section 36, township 48 south, range 29 east; thence run southerly to a point marking the southwest corner of section 12, township 49 south, range 29 east; thence run westerly to a point marking the southwest corner of section 10, township 49 south, range 29 east; thence run southerly to a point marking the southwest corner of section 15, township 49 south, range 29 east; thence run westerly to a point

marking the northwest corner of section 24, township 49 south, range 28 east, said point lying on the west boundary of the Big Cypress Area of Critical State Concern as described in rule 28-25.001, Florida Administrative Code; thence run southerly along said boundary crossing SRD 84 (Alligator Alley) to a point marking the southwest corner of section 24, township 50 south, range 28 east; thence leaving the aforementioned west boundary of the Big Cypress Area of Critical State Concern run easterly to a point marking the northeast corner of section 25, township 50 south, range 28 east; thence run southerly along the east line of range 28 east to a point lying approximately 0.15 miles south of the northeast corner of section 1, township 52 south, range 28 east; thence run southwesterly 2.4 miles more or less to an intersection with SRD 90 (U.S. 41 Tamiami Trail), said intersection lying 1.1 miles more or less west of the east line of range 28 east; thence run northwesterly and westerly along SRD 90 to an intersection with the west line of section 10, township 52 south, range 28 east; thence leaving SRD 90 run southerly to a point marking the southwest corner of section 15, township 52 south, range 28 east; thence run westerly crossing the Faka Union Canal 0.6 miles more or less to a point; thence run southerly and parallel to the Faka Union Canal to a point located on the mean high-water line of Faka Union Bay; thence run southeasterly along the mean high-water line of the various bays, rivers, inlets, and streams to the point of beginning.

(b) The area bounded by the line described in paragraph (a) generally includes those waters to be known as waters of the state. The landward extent of these waters shall be determined by the delineation methodology ratified in s. 373.4211. Any waters which are outside the general boundary line described in paragraph (a) but which are contiguous thereto by virtue of the presence of a wetland, watercourse, or other surface water, as determined by the delineation methodology ratified in s. 373.4211, shall be a part of this ~~waterbody~~ ~~water body~~. Any areas within the line described in paragraph (a) which are neither a wetland nor surface water, as determined by the delineation methodology ratified in s. 373.4211, shall be excluded therefrom. If the Florida Environmental Regulation Commission designates the waters within the boundaries an Outstanding Florida Water, waters outside the boundaries ~~may~~ ~~shall~~ not be included as part of such designation unless a hearing is held pursuant to notice in each appropriate county and the boundaries of such lands are specifically considered and described for such designation.

(16)(14) "State water resource implementation rule" means the rule authorized by s. 373.036, which sets forth goals, objectives, and guidance for the development and review of programs, rules, and plans relating to water resources, based on statutory policies and directives. The waters of the state are among its most basic resources. Such waters should be managed to conserve and protect water resources and to realize the full beneficial use of these resources.

(17)(15) "Stormwater management program" means the institutional strategy for stormwater management, including urban, agricultural, and other stormwater.

(18)(16) "Stormwater management system" means a system ~~which~~ ~~is~~ designed and constructed or implemented to control discharges ~~that~~ ~~which~~ are necessitated by rainfall events, incorporating methods to collect, convey, store, absorb, inhibit, treat, use, or reuse water to prevent or reduce flooding, overdrainage, environmental degradation and water pollution or otherwise affect the quantity and quality of discharges from the system.

(19)(17) "Stormwater utility" means the funding of a stormwater management program by assessing the cost of the program to the beneficiaries based on their relative contribution to its need. It is operated as a typical utility which bills services regularly, similar to water and wastewater services.

(24)(18) "Watershed" means the land area ~~that~~ ~~which~~ contributes to the flow of water into a receiving body of water.

(13)(19) "Regulated air pollutant" means any pollutant regulated under the federal Clean Air Act.

(4)(20) "Electrical power plant" means, for purposes of this part of this chapter, any electrical generating facility that uses any process or fuel and that is owned or operated by an electric utility, as defined in s.

403.503(14), and includes any associated facility that directly supports the operation of the electrical power plant.

(20)(21) “Total maximum daily load” is defined as the sum of the individual wasteload allocations for point sources and the load allocations for nonpoint sources and natural background. Prior to determining individual wasteload allocations and load allocations, the maximum amount of a pollutant that a ~~waterbody~~ ~~water body~~ or water segment can assimilate from all sources without exceeding water quality standards must first be calculated.

Section 14. Paragraphs (a) and (e) of subsection (7) of section 403.067, Florida Statutes, are amended to read:

403.067 Establishment and implementation of total maximum daily loads.—

(7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

(a) *Basin management action plans.*—

1. In developing and implementing the total maximum daily load for a ~~waterbody~~ ~~water body~~, the department, or the department in conjunction with a water management district, may develop a basin management action plan that addresses some or all of the watersheds and basins tributary to the ~~waterbody~~ ~~water body~~. Such plan must integrate the appropriate management strategies available to the state through existing water quality protection programs to achieve the total maximum daily loads and may provide for phased implementation of these management strategies to promote timely, cost-effective actions as provided for in s. 403.151. The plan must establish a schedule implementing the management strategies, establish a basis for evaluating the plan's effectiveness, and identify feasible funding strategies for implementing the plan's management strategies. The management strategies may include regional treatment systems or other public works, when appropriate, and voluntary trading of water quality credits to achieve the needed pollutant load reductions.

2. A basin management action plan must equitably allocate, pursuant to paragraph (6)(b), pollutant reductions to individual basins, as a whole to all basins, or to each identified point source or category of nonpoint sources, as appropriate. For nonpoint sources for which best management practices have been adopted, the initial requirement specified by the plan must be those practices developed pursuant to paragraph (c). When appropriate, the plan may take into account the benefits of pollutant load reduction achieved by point or nonpoint sources that have implemented management strategies to reduce pollutant loads, including best management practices, before the development of the basin management action plan. The plan must also identify the mechanisms that will address potential future increases in pollutant loading.

3. The basin management action planning process is intended to involve the broadest possible range of interested parties, with the objective of encouraging the greatest amount of cooperation and consensus possible. In developing a basin management action plan, the department shall assure that key stakeholders, including, but not limited to, applicable local governments, water management districts, the Department of Agriculture and Consumer Services, other appropriate state agencies, local soil and water conservation districts, environmental groups, regulated interests, and affected pollution sources, are invited to participate in the process. The department shall hold at least one public meeting in the vicinity of the watershed or basin to discuss and receive comments during the planning process and shall otherwise encourage public participation to the greatest practicable extent. Notice of the public meeting must be published in a newspaper of general circulation in each county in which the watershed or basin lies at least 5 days, but not more than 15 days, before the public meeting. A basin management action plan does not supplant or otherwise alter any assessment made under subsection (3) or subsection (4) or any calculation or initial allocation.

4. Each new or revised basin management action plan ~~must~~ ~~shall~~ include *all of the following*:

a. The appropriate management strategies available through existing water quality protection programs to achieve total maximum

daily loads, which may provide for phased implementation to promote timely, cost-effective actions as provided for in s. 403.151.;

b. A description of best management practices adopted by rule.;

c. *For the applicable 5-year implementation milestone, a list of projects that will achieve the pollutant load reductions needed to meet the total maximum daily load or the load allocations established pursuant to subsection (6). Each project must include a planning-level cost estimate and an estimated date of completion. ~~A list of projects in priority ranking with a planning level cost estimate and estimated date of completion for each listed project;~~*

d. *A list of projects developed pursuant to paragraph (e), if applicable.*

e.~~d.~~ The source and amount of financial assistance to be made available by the department, a water management district, or other entity for each listed project, if applicable. ~~;~~ ~~and~~

f.~~e.~~ A planning-level estimate of each listed project's expected load reduction, if applicable.

5. The department shall adopt all or any part of a basin management action plan and any amendment to such plan by secretarial order pursuant to chapter 120 to implement this section.

6. The basin management action plan must include 5-year milestones for implementation and water quality improvement, and an associated water quality monitoring component sufficient to evaluate whether reasonable progress in pollutant load reductions is being achieved over time. An assessment of progress toward these milestones shall be conducted every 5 years, and revisions to the plan shall be made as appropriate. *Any entity with a specific pollutant load reduction requirement established in a basin management action plan shall identify the projects or strategies that such entity will undertake to meet current 5-year pollution reduction milestones, beginning with the first 5-year milestone for new basin management action plans, and submit such projects to the department for inclusion in the appropriate basin management action plan. Each project identified must include an estimated amount of nutrient reduction that is reasonably expected to be achieved based on the best scientific information available.* Revisions to the basin management action plan shall be made by the department in cooperation with basin stakeholders. Revisions to the management strategies required for nonpoint sources must follow the procedures in subparagraph (c)4. Revised basin management action plans must be adopted pursuant to subparagraph 5.

7. In accordance with procedures adopted by rule under paragraph (9)(c), basin management action plans, and other pollution control programs under local, state, or federal authority as provided in subsection (4), may allow point or nonpoint sources that will achieve greater pollutant reductions than required by an adopted total maximum daily load or wasteload allocation to generate, register, and trade water quality credits for the excess reductions to enable other sources to achieve their allocation; however, the generation of water quality credits does not remove the obligation of a source or activity to meet applicable technology requirements or adopted best management practices. Such plans must allow trading between NPDES permittees, and trading that may or may not involve NPDES permittees, where the generation or use of the credits involve an entity or activity not subject to department water discharge permits whose owner voluntarily elects to obtain department authorization for the generation and sale of credits.

8. The department's rule relating to the equitable abatement of pollutants into surface waters do not apply to water bodies or ~~waterbody~~ ~~water body~~ segments for which a basin management plan that takes into account future new or expanded activities or discharges has been adopted under this section.

9. In order to promote resilient wastewater utilities, if the department identifies domestic wastewater treatment facilities or onsite sewage treatment and disposal systems as contributors of at least 20 percent of point source or nonpoint source nutrient pollution or if the department determines remediation is necessary to achieve the total maximum daily load, a basin management action plan for a nutrient total maximum daily load must include the following:

a. A wastewater treatment plan developed by each local government, in cooperation with the department, the water management district, and the public and private domestic wastewater treatment facilities within the jurisdiction of the local government, that addresses domestic wastewater. The wastewater treatment plan must:

(I) Provide for construction, expansion, or upgrades necessary to achieve the total maximum daily load requirements applicable to the domestic wastewater treatment facility.

(II) Include the permitted capacity in average annual gallons per day for the domestic wastewater treatment facility; the average nutrient concentration and the estimated average nutrient load of the domestic wastewater; a projected timeline of the dates by which the construction of any facility improvements will begin and be completed and the date by which operations of the improved facility will begin; the estimated cost of the improvements; and the identity of responsible parties.

The wastewater treatment plan must be adopted as part of the basin management action plan no later than July 1, 2025. A local government that does not have a domestic wastewater treatment facility in its jurisdiction is not required to develop a wastewater treatment plan unless there is a demonstrated need to establish a domestic wastewater treatment facility within its jurisdiction to improve water quality necessary to achieve a total maximum daily load. A local government is not responsible for a private domestic wastewater facility's compliance with a basin management action plan unless such facility is operated through a public-private partnership to which the local government is a party.

b. An onsite sewage treatment and disposal system remediation plan developed by each local government in cooperation with the department, the Department of Health, water management districts, and public and private domestic wastewater treatment facilities.

(I) The onsite sewage treatment and disposal system remediation plan must identify cost-effective and financially feasible projects necessary to achieve the nutrient load reductions required for onsite sewage treatment and disposal systems. To identify cost-effective and financially feasible projects for remediation of onsite sewage treatment and disposal systems, the local government shall:

(A) Include an inventory of onsite sewage treatment and disposal systems based on the best information available;

(B) Identify onsite sewage treatment and disposal systems that would be eliminated through connection to existing or future central domestic wastewater infrastructure in the jurisdiction or domestic wastewater service area of the local government, that would be replaced with or upgraded to enhanced nutrient-reducing onsite sewage treatment and disposal systems, or that would remain on conventional onsite sewage treatment and disposal systems;

(C) Estimate the costs of potential onsite sewage treatment and disposal system connections, upgrades, or replacements; and

(D) Identify deadlines and interim milestones for the planning, design, and construction of projects.

(II) The department shall adopt the onsite sewage treatment and disposal system remediation plan as part of the basin management action plan no later than July 1, 2025, or as required for Outstanding Florida Springs under s. 373.807.

10. *The installation of new onsite sewage treatment and disposal systems constructed within a basin management action plan area adopted under this section, a reasonable assurance plan, or a pollution reduction plan is prohibited where connection to a publicly owned or investor-owned sewerage system is available as defined in s. 381.0065(2)(a). On lots of 1 acre or less within a basin management action plan adopted under this section, a reasonable assurance plan, or a pollution reduction plan where a publicly owned or investor-owned sewerage system is not available, the installation of enhanced nutrient-reducing onsite sewage treatment and disposal systems or other wastewater treatment systems that achieve at least 65 percent nitrogen reduction is required.*

~~11.10.~~ When identifying wastewater projects in a basin management action plan, the department may not require the higher cost option if it achieves the same nutrient load reduction as a lower cost option. A regulated entity may choose a different cost option if it complies with the pollutant reduction requirements of an adopted total maximum daily load and meets or exceeds the pollution reduction requirement of the original project.

12. *Annually, local governments subject to a basin management action plan or located within the basin of a waterbody not attaining nutrient or nutrient-related standards must provide to the department an update on the status of construction of sanitary sewers to serve such areas, in a manner prescribed by the department.*

(e) *Cooperative agricultural regional water quality improvement element.—*

1. The department ~~and~~ the Department of Agriculture and Consumer Services, *in cooperation with* ~~and~~ owners of agricultural operations in the basin, shall develop a cooperative agricultural regional water quality improvement element as part of a basin management action plan ~~where only if~~:

a. ~~Agricultural measures have been adopted by the Department of Agriculture and Consumer Services pursuant to subparagraph (c)2. and have been implemented and the water body remains impaired;~~

~~b.~~ Agricultural nonpoint sources contribute to at least 20 percent of nonpoint source nutrient discharges; ~~or and~~

~~b.e.~~ The department determines that additional measures, in combination with state-sponsored regional projects and other management strategies included in the basin management action plan, are necessary to achieve the total maximum daily load.

2. The element will be implemented through the use of *cost-effective and technically and financially practical regional agricultural nutrient reduction cost-sharing projects and*. ~~The element must include a list of such projects submitted to the department by the Department of Agriculture and Consumer Services which, in combination with the best management practices, additional measures, and other management strategies, will achieve the needed pollutant load reductions established for agricultural nonpoint sources cost-effective and technically and financially practical cooperative regional agricultural nutrient reduction projects that can be implemented on private properties on a site specific, cooperative basis. Such cooperative regional agricultural nutrient reduction projects may include, but are not limited to, land acquisition in fee or conservation easements on the lands of willing sellers and site-specific water quality improvement or dispersed water management projects. The list of regional projects included in the cooperative agricultural regional water quality improvement element must include a planning-level cost estimate of each project along with the estimated amount of nutrient reduction that such project will achieve on the lands of project participants.~~

3. To qualify for participation in the cooperative agricultural regional water quality improvement element, the participant must have already implemented and be in compliance with best management practices or other measures adopted by the Department of Agriculture and Consumer Services pursuant to subparagraph (c)2. The element ~~must may~~ be included in the basin management action plan as a part of the next 5-year assessment under subparagraph (a)6.

4. The department ~~or the Department of Agriculture and Consumer Services~~ may submit a legislative budget request to fund projects developed pursuant to this paragraph. In allocating funds for projects funded pursuant to this paragraph, the department shall provide at least 20 percent of its annual appropriation for projects in subbasins with the highest nutrient concentrations within a basin management action plan. *Projects submitted pursuant to this paragraph are eligible for funding in accordance with s. 403.0673.*

Section 15. Section 403.0673, Florida Statutes, is amended to read:

403.0673 *Water quality improvement Wastewater grant program.—* A ~~wastewater~~ grant program is established within the Department of Environmental Protection to address wastewater, stormwater, and agricultural sources of nutrient loading to surface water or groundwater.

(1) *The purpose of the grant program is to fund projects that will improve the quality of waterbodies that:*

- (a) *Are not attaining nutrient or nutrient-related standards;*
- (b) *Have an established total maximum daily load; or*
- (c) *Are located* ~~Subject to the appropriation of funds by the Legislature, the department may provide grants for the following projects within a basin management action plan area, a reasonable assurance plan area, an alternative restoration plan adopted by final order, an accepted alternative restoration plan area, or a rural area of opportunity under s. 288.0656.~~

(2) *The department may provide grants for all of the following types of projects that reduce the amount of nutrients entering those waterbodies identified in subsection (1):*

- (a) *Connecting onsite sewage treatment and disposal systems to central sewer facilities.*
- (b) *Upgrading domestic wastewater treatment facilities to advanced waste treatment or greater.*
- (c) *Repairing, upgrading, expanding, or constructing stormwater treatment facilities that result in improvements to surface water or groundwater quality.*
- (d) *Repairing, upgrading, expanding, or constructing domestic wastewater treatment facilities that result in improvements to surface water or groundwater quality, including domestic wastewater reuse and collection systems.*
- (e) *Projects identified pursuant to s. 403.067(7)(a) or (7)(e).*
- (f) *Projects identified in a wastewater treatment plan or an onsite sewage treatment and disposal system remediation plan developed pursuant to s. 403.067(7)(a)9.a. and b.*
- (g) *Projects listed in a city or county capital improvement element pursuant to s. 163.3177(3)(a)4.b.*

(h) ~~Retrofitting onsite sewage treatment and disposal systems to upgrade such systems to enhanced nutrient-reducing onsite sewage treatment and disposal systems where central sewerage is unavailable which will individually or collectively reduce excess nutrient pollution:~~

~~(a) Projects to retrofit onsite sewage treatment and disposal systems to upgrade such systems to enhanced nutrient-reducing onsite sewage treatment and disposal systems.~~

~~(b) Projects to construct, upgrade, or expand facilities to provide advanced waste treatment, as defined in s. 403.086(4).~~

~~(c) Projects to connect onsite sewage treatment and disposal systems to central sewer facilities.~~

~~(3)(2) In allocating such funds, priority must be given to projects that subsidize the connection of onsite sewage treatment and disposal systems to wastewater treatment facilities. First priority must be given to subsidize the connection of onsite sewage treatment and disposal systems to existing infrastructure. Second priority must be given to any expansion of a collection or transmission system that promotes efficiency by planning the installation of wastewater transmission facilities to be constructed concurrently with other construction projects occurring within or along a transportation facility right of way. Third priority must be given to all other connections of onsite sewage treatment and disposal systems to wastewater treatment facilities. The department shall consider and prioritize those projects that:~~

- ~~(a) Have the maximum estimated reduction in nutrient load per project;~~
- ~~(b) Demonstrate project readiness;~~
- ~~(c) Are cost-effective;~~
- ~~(d) Have a cost share identified by the applicant, except for rural areas of opportunity;~~

~~(e) Have previous state commitment and involvement in the project, considering previously funded phases, the total amount of previous state funding, and previous partial appropriations for the proposed project; or~~

~~(f) Are in a the cost effectiveness of the project; the overall environmental benefit of a project; the location where reductions are needed most to attain the water quality standards of a waterbody not attaining nutrient or nutrient-related standards.~~

~~Any project that does not result in reducing nutrient loading to a waterbody identified in subsection (1) is not eligible for funding under this section of a project; the availability of local matching funds; and projected water savings or quantity improvements associated with a project.~~

~~(3) Each grant for a project described in subsection (1) must require a minimum of a 50 percent local match of funds. However, the department may, at its discretion, waive, in whole or in part, this consideration of the local contribution for proposed projects within an area designated as a rural area of opportunity under s. 288.0656.~~

~~(4) The department shall coordinate annually with each water management district, as necessary, to identify potential projects grant recipients in each district.~~

~~(5) The department shall coordinate with local governments and stakeholders to identify the most effective and beneficial water quality improvement projects.~~

~~(6) The department shall coordinate with the Department of Agriculture and Consumer Services to prioritize the most effective and beneficial agricultural nonpoint source projects identified pursuant to s. 403.067(7)(e).~~

~~(7) Beginning January 15, 2024 1, 2021, and each January~~

On motion by Senator Brodeur, by two-thirds vote, **CS for CS for HB 1379**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

CS for SB 1646—A bill to be entitled An act relating to commercial service airport transparency and accountability; amending s. 332.0075, F.S.; defining the term “consent agenda”; revising information required to be posted on the website of a governing body; requiring a commercial service airport to use specified competitive solicitation processes for certain purchases of commodities or contractual services; requiring a governing body to approve, award, or ratify certain contracts by separate line item on the agenda if such contracts exceed specified amounts; prohibiting such contracts from being approved, awarded, or ratified as part of a consent agenda; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1646**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1123** was withdrawn from the Committee on Rules.

On motion by Senator Davis—

CS for CS for HB 1123—A bill to be entitled An act relating to commercial service airport transparency and accountability; amending s. 332.0075, F.S.; defining the term “consent agenda”; revising information required to be posted on the website of a governing body; requiring a commercial service airport to use specified competitive solicitation processes for certain purchases of commodities or contractual services; revising the type of contract that a governing body must approve, award, or ratify as a separate line item on an agenda; requiring a governing body to provide opportunity for public comment on certain contracts; prohibiting certain contracts from being approved, awarded, or ratified as part of a consent agenda; providing an effective date.

—a companion measure, was substituted for **CS for SB 1646** and read the second time by title.

On motion by Senator Davis, by two-thirds vote, **CS for CS for HB 1123** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

SPECIAL GUESTS

Senator Davis recognized Representative Peggy Gossett-Seidman who was present in the chamber in support of CS for SB 1646/CS for CS for HB 1123, related to Commercial Service Airport Transparency and Accountability.

Consideration of **CS for SB 1596**, **CS for CS for SB 1506**, **CS for CS for CS for SB 64**, **CS for CS for SB 1252**, and **CS for CS for SB 1084** was deferred.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1550, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

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; au-

thorizing 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 timeframe; creating s. 626.8825, F.S.; defining terms; providing requirements for certain contracts between a pharmacy benefit manager and a pharmacy benefits plan or program; 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.

House Amendment 1 (207723)—Remove lines 765-839 and insert: *and a pharmacy benefits plan or program must include, in substantial form, terms that ensure compliance with all of the following requirements and that, except to the extent not allowed by law, shall supersede any contractual terms to the contrary:*

(a) *Use a pass-through pricing model, remaining consistent with the prohibition in paragraph (3)(c).*

(b) *Exclude terms that allow for the direct or indirect engagement in the practice of spread pricing unless the pharmacy benefit manager passes along the entire amount of such difference to the pharmacy benefits plan or program as allowable under paragraph (a).*

(c) *Ensure that funds received in relation to providing services for a pharmacy benefits plan or program or a pharmacy are used or distributed only pursuant to the pharmacy benefit manager's contract with the pharmacy benefits plan or program or with the pharmacy or as otherwise required by applicable law.*

(d) *Require the pharmacy benefit manager to pass 100 percent of all prescription drug manufacturer rebates, including nonresident prescription drug manufacturer rebates, received to the pharmacy benefits plan or program, if the contractual arrangement delegates the negotiation of rebates to the pharmacy benefit manager, for the sole purpose of offsetting defined cost sharing and reducing premiums of covered persons. Any excess rebate revenue after the pharmacy benefit manager and the pharmacy benefits plan or program have taken all actions required under this paragraph must be used for the sole purpose of offsetting copayments and deductibles of covered persons. This paragraph does not apply to contracts involving Medicaid managed care plans.*

(e) *Include network adequacy requirements that meet or exceed Medicare Part D program standards for convenient access to the network pharmacies set forth in 42 C.F.R. s. 423.120(a)(1) and that:*

1. *Do not limit a network to solely include affiliated pharmacies;*
2. *Require a pharmacy benefit manager to offer a provider contract to licensed pharmacies physically located on the physical site of providers that are:*
 - a. *Within the pharmacy benefits plan's or program's geographic service area and that have been specifically designated as essential providers by the Agency for Health Care Administration pursuant to s. 409.975(1)(a);*
 - b. *Designated as cancer centers of excellence under s. 381.925, regardless of the pharmacy benefits plan's or program's geographic service area;*
 - c. *Organ transplant hospitals, regardless of the pharmacy benefits plan's or program's geographic service area;*
 - d. *Hospitals licensed as specialty children's hospitals as defined in s. 395.002; or*
 - e. *Regional perinatal intensive care centers as defined in s. 383.16(2), regardless of the pharmacy benefits plan's or program's geographic service area.*

Such provider contracts must be solely for the administration or dispensing of covered prescription drugs, including biological products,

which are administered through infusions, intravenously injected, or inhaled during a surgical procedure or are covered parenteral drugs, as part of onsite outpatient care;

3. *Do not require a covered person to receive a prescription drug by United States mail, common carrier, local courier, third-party company or delivery service, or pharmacy direct delivery unless the prescription drug cannot be acquired at any retail pharmacy in the pharmacy benefit manager's network for the covered person's pharmacy benefits plan or program. This subparagraph does not prohibit a pharmacy benefit manager from operating mail order or delivery programs on an opt-in basis at the sole discretion of a covered person, provided that the covered person is not penalized through the imposition of any additional retail cost-sharing obligations or a lower allowed-quantity limit for choosing not to select the mail order or delivery programs;*

4. *For the in-person administration of covered prescription drugs, prohibit requiring a covered person to receive pharmacist services from an affiliated pharmacy or an affiliated health care provider; and*

5. *Prohibit offering or implementing pharmacy networks*

On motion by Senator Brodeur, the Senate concurred in **House Amendment 1 (207723)**.

CS for CS for SB 1550 passed, as amended, was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

MOTIONS

On motion by Senator Mayfield, the rules were waived and all bills temporarily postponed or remaining on the Special Order Calendar this day were retained on the Special Order Calendar.

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, May 3, 2023.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Mayfield, by two-thirds vote, **CS for HB 389** and **CS for HB 551** were withdrawn from the Committee on Fiscal Policy; **CS for CS for HB 1343** and **CS for HB 1405** were withdrawn from the Committee on Appropriations; and **HB 1373** was withdrawn from the Committee on Rules.

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, May 2, 2023: **CS for CS for CS for SB 280**, **CS for SB 366**, **CS for SB 398**, **CS for CS for SB 452**, **CS for SB 496**, **CS for CS for SB 504**, **SB 514**, **CS for SB 522**, **SB 568**, **CS for CS for SB**

620, CS for SB 624, CS for SB 704, CS for CS for SB 712, CS for SB 858, CS for SB 1674, CS for SB 958, CS for SB 988, CS for SB 998, CS for SB 1056, CS for SB 1082, CS for CS for SB 1098, CS for CS for SB 1114, CS for SB 1236, CS for CS for SB 1262, SB 7056, CS for CS for SB 1308, CS for SB 1320, CS for SB 1412, CS for CS for SB 1430, SB 1446, SB 1448, CS for SB 1456, CS for CS for SB 1482, CS for SB 1578, CS for SB 1606, CS for CS for SB 1632, CS for SB 1646.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGES — FINAL ACTION

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 110.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 180.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 196.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 210.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 214.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 272.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 274.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 286.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 540.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 552 by the required constitutional two-thirds vote of the members voting.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 558.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 614.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 678.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 708.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 718.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 724.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 726.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 732.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 736.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 768.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 846.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 892.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1002.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1188.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1332.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1416.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 1442.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1458.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1480.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1542 by the required constitutional two-thirds vote of the members voting.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1552 by the required constitutional two-thirds vote of the members voting.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1580.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1616 by the required constitutional two-thirds vote of the members voting.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1676.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/SB 1690.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1718.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 7000.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 7014.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 7020 by the required constitutional two-thirds vote of the members voting.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 7022.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 7054.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 1 was corrected and approved.

ADJOURNMENT

On motion by Senator Mayfield, the Senate adjourned at 7:02 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Wednesday, May 3 or upon call of the President.