



Journal of the Senate

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CALL TO ORDER

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

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

Excused: Senator Book until 10:01 a.m.; Senator Ingoglia until 9:18 a.m.

PRAYER

The following prayer was offered by Pastor Josh Hall, First Baptist Church, Tallahassee:

Let us pray. Almighty God, before we begin the business of this day, we pause to thank you for this day you have given us and the many blessings that come with it. From the breath in our lungs to the work of our hands, may we use every good gift to honor you, and promote the welfare of others.

In your providence and your grace, you have given us governing authorities to pursue justice and the flourishing of our society. So we pray now, especially for the members and staff of the Florida Senate. We ask that you would honor the sacrifices these men and women have each made as they seek to faithfully serve our state. We ask that you would give them compassion for every need, and grant them wisdom for every challenge. We ask that you would fill them with the courage to do what is right rather than what may seem easy or popular. And even in the midst of sharp disagreements borne of deep convictions, we ask that these discussions and debates would be marked by civility that honors your image in each other. We ask that, above all, we would find common

ground across any battle lines, and display a unity of purpose that is strengthened by our diversity.

Lord God, we thank you for the blessing of living in the great State of Florida and the privilege we each have to steward that blessing for the next generation. May we each be found faithful today and always. Amen.

PLEDGE

Senate Pages, Berkley Barnes of Fort Pierce; Luke Shaeffer of Jacksonville; and Olivia Trefelner of Fort Pierce, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

At the request of Senator Avila—

By Senator Avila—

SR 1240—A resolution recognizing February 27, 2024, as “Dominican-American Heritage Day” in Florida.

WHEREAS, the island of Hispaniola is home to two countries, with Haiti on the west and the Dominican Republic on the east, and

WHEREAS, the people of the Dominican Republic were under Haitian rule for 22 years before the Dominican War of Independence set them free in 1844, and

WHEREAS, migration from the Dominican Republic to the United States began in the 1960s in the wake of economic and political turbulence that occurred after dictator Rafael Trujillo was killed by rebels, and

WHEREAS, since 1990, Dominican Americans have comprised the fourth largest immigrant population from the Caribbean residing in the United States, and

WHEREAS, Florida is the third of the five states with the largest concentrations of Dominican Americans, with approximately 12 percent of Dominican Americans residing in this state, and

WHEREAS, Dominican Americans have made significant contributions to the United States in several fields, such as music, including alternative rock, calypso, salsa, merengue, reggaeton, and bachata, the most popular; sports, including soccer, basketball, football, baseball, and women’s volleyball; government; finance; education; fashion; and the arts and sciences, and

WHEREAS, Dominican Americans continue to enrich the diversity of this state by sharing their unique accomplishments, traditions, culture, and cuisine, NOW, THEREFORE,

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

That February 27, 2024, is recognized as “Dominican-American Heritage Day” in Florida to celebrate Dominican Republic Independence Day and the invaluable economic, social, and cultural contributions of Dominican Americans throughout this state.

—was introduced, read, and adopted by publication.

SPECIAL ORDER CALENDAR

CS for CS for SB 1758—A bill to be entitled An act relating to individuals with disabilities; amending s. 393.064, F.S.; revising provisions related to programs and services provided by the Agency for Persons with Disabilities; requiring the agency, within available resources, to offer voluntary participation care navigation services to clients and their caregivers at specified times; specifying goals and requirements for such care navigation services; specifying requirements for care plans; requiring the integration of care plans with any individual education plans of clients; specifying requirements for such integration; amending s. 393.065, F.S.; requiring the agency to develop and implement an online application process; specifying requirements for the online application process; defining the term “complete application”; revising timeframes within which the agency must make eligibility determinations for services; lowering the age that a caregiver must be for an individual to be placed in a certain preenrollment category; amending s. 393.0651, F.S.; revising which types of clients are eligible for an individual support plan; clarifying the timeframe within which a family or individual support plan must be developed; requiring waiver support coordinators to inform the client, client’s parent or guardian, or client’s advocate, as appropriate, of certain information when developing or reviewing the family or individual support plan; providing for a type two transfer of the Florida Unique Abilities Partner Program from the Department of Commerce to the Agency for Persons with Disabilities; amending ss. 20.60 and 413.801, F.S.; conforming provisions to changes made by the act; providing appropriations; requiring the Agency for Health Care Administration and the Agency for Persons with Disabilities, in consultation with other stakeholders, to jointly develop a comprehensive plan for the administration, finance, and delivery of home and community-based services through a new home and community-based services Medicaid waiver program; providing requirements for the waiver program; authorizing the Agency for Health Care Administration to contract with necessary experts to assist in developing the plan; requiring the Agency for Health Care Administration to submit a specified report to the Governor and the Legislature by a specified date; providing an effective date.

—was read the second time by title.

Senator Brodeur moved the following amendments which were adopted:

Amendment 1 (797902) (with title amendment)—Delete line 151 and insert: to the agency, in the region in which the applicant resides, sent to a central or regional address through regular United States mail, or faxed to a central or regional confidential fax number. The agency shall acknowledge receipt of all applications it receives, regardless of the manner of submission, with an immediate receipt confirmation provided in the same manner in which the application was received, unless the applicant has designated an alternative preferred method of communication on the submitted application.

And the title is amended as follows:

Delete line 16 and insert: for the online application process; requiring the agency to maintain access to a printable paper application on its website and, upon request, provide printed paper applications; requiring the agency to acknowledge receipt of all applications it receives, regardless of the manner of submission, by providing an immediate receipt confirmation to the applicant in a specified manner; defining the term

Amendment 2 (886146) (with title amendment)—Delete lines 562-563 and insert: necessary experts, in consultation with the Agency for Persons with Disabilities, to assist in developing the plan. The Agency for Persons with Disabilities, in consultation with the Agency for Health Care Administration, must submit a report to the

And the title is amended as follows:

Delete lines 43-45 and insert: to contract with necessary experts, in consultation with the Agency for Persons with Disabilities, to assist in developing the plan; requiring the Agency for Persons with Disabilities, in consultation with the Agency for Health Care Administration, to submit a specified report to

On motion by Senator Brodeur, by two-thirds vote, CS for CS for SB 1758, as amended, was read the third time by title, passed, ordered engrossed, and then certified to the House. The vote on passage was:

Yeas—38

Table with 3 columns: Madam President, Albritton, Avila, Baxley, Boyd, Bradley, Brodeur, Broxson, Burgess, Burton, Calatayud, Collins, Davis, DiCeglie, Garcia, Grall, Gruters, Harrell, Hooper, Hutson, Ingoglia, Jones, Martin, Mayfield, Osgood, Perry, Pizzo, Polsky, Powell, Rodriguez, Rouson, Simon, Stewart, Thompson, Torres, Trumbull, Wright, Yarborough

Nays—None

CO-INTRODUCERS

All Senators voting yea, not previously shown as co-introducers, were recorded as co-introducers of CS for CS for SB 1758.

Yeas—34

Table with 3 columns: Madam President, Albritton, Avila, Baxley, Boyd, Bradley, Broxson, Burgess, Burton, Calatayud, Collins, DiCeglie, Garcia, Grall, Gruters, Harrell, Hooper, Hutson, Ingoglia, Jones, Martin, Mayfield, Perry, Pizzo, Polsky, Powell, Rodriguez, Simon, Stewart, Thompson, Torres, Trumbull, Wright, Yarborough

SPECIAL RECOGNITION

Senator Brodeur welcomed Stephanie Norton, and her sons, Logan and Gavin, who were present in the gallery in support of CS/CS/SB 1758, related to individuals with disabilities.

SPECIAL GUESTS

Senator Brodeur welcomed J.J. Holmes, and his mother, Allison Holmes, who were present in the chamber also in support of CS/CS/SB 1758.

On motion by Senator Broxson—

SB 2500—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2024, and ending June 30, 2025, and supplemental appropriations for the period ending June 30, 2024, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing effective dates.

—was read the second time by title.

Senator Simon moved the following amendment which was adopted:

Amendment 1 (995304)—

DELETE INSERT

In Section XX On Page 465

INSERT:

Section XX. From the funds appropriated to the Division of Emergency Management within the Executive Office of the Governor in section 8 of chapter 2022-272, Laws of Florida, \$33,000,000 shall revert and is appropriated for Fiscal Year 2023-2024 to the division to provide the full amount of the required match of local governments within fiscally constrained counties for Hazard Mitigation Assistance grants related to the Federal Emergency Management Agency disaster declaration for Hurricane Idalia to offset the costs that such local governments would otherwise be required to provide pursuant to s. 252.37(6), Florida Statutes. Such local governments must enter into agreements with the division to have their portions of the match requirements waived. The division shall report quarterly to the chair of the Senate Appropriations Committee, the chair of the House Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget on the amount of match requirements waived, agreements entered into with local governments, and the amount of remaining appropriated funds. The unexpended balance of funds remaining on June 30, 2024, shall revert and is appropriated to the division for Fiscal Year 2024-2025 for the same purpose. This section is effective upon becoming a law.

	Properties - Dms Mgd IOEI		
1000	General Revenue Fund	6,486,600	6,136,600
	CA -350,000 FSI1NR -350,000		
	COMMERCE, DEPARTMENT OF		
	Program: Community Development		
	Housing And Community Development 40300200		
	In Section 06 On Page 338		
2347A	Grants And Aids To Local Governments And Nonstate Entities - Fixed Capital Outlay Housing And Community Development Projects - Fixed Capital Outlay IOEM	140220	
1000	General Revenue Fund	29,796,517	30,146,517
	CA 350,000 FSI1NR 350,000		
	Following Specific Appropriation 2347A, INSERT:		
	Riverview Affordable Housing Development (SF 3376).....		350,000

Amendment 4 (995303)—

DELETE INSERT

Senator Avila moved the following amendment which was adopted:

Amendment 2 (995302)—

		DELETE	INSERT
	STATE, DEPARTMENT OF		
	Program: Historical Resources		
	Historical Resources Preservation And Exhibition 45200700		
	In Section 06 On Page 424		
3231A	Fixed Capital Outlay 080602 Repairs And Maintenance Of Historic Properties - Dms Mgd IOEI		
1000	General Revenue Fund	6,486,600	6,136,600
	CA -350,000 FSI1NR -350,000		
	COMMERCE, DEPARTMENT OF		
	Program: Community Development		
	Housing And Community Development 40300200		
	In Section 06 On Page 338		
2347A	Grants And Aids To Local Governments And Nonstate Entities - Fixed Capital Outlay Housing And Community Development Projects - Fixed Capital Outlay IOEM	140220	
1000	General Revenue Fund	29,796,517	30,146,517
	CA 350,000 FSI1NR 350,000		

	STATE, DEPARTMENT OF		
	Program: Historical Resources		
	Historical Resources Preservation And Exhibition 45200700		
	In Section 06 On Page 424		
3231A	Fixed Capital Outlay 080602 Repairs And Maintenance Of Historic Properties - Dms Mgd IOEI		
1000	General Revenue Fund	6,486,600	6,136,600
	CA -350,000 FSI1NR -350,000		
	TRANSPORTATION, DEPARTMENT OF		
	Transportation Systems Operations		
	Program: Highway Operations 55150200		
	In Section 05 On Page 305		
2069A	Fixed Capital Outlay 088862 Local Transportation Projects IOEK		
1000	General Revenue Fund	68,750,000	69,100,000
	CA 350,000 FSI1NR 350,000		
	Following Specific Appropriation 2069A, INSERT:		
	City of Bonita Springs - Rosemary Drive Stormwater Drainage and Pedestrian Safety Improvement Project (SF 3289).....		350,000

Senator Avila moved the following amendment which was adopted:

Amendment 5 (995301)—

		DELETE	INSERT
	Acquisition and Renovation of Supportive Housing for Homeless Households (SF 2741).....		350,000

Senator Martin moved the following amendments which were adopted:

Amendment 3 (995300)—

		DELETE	INSERT
	STATE, DEPARTMENT OF		
	Program: Historical Resources		
	Historical Resources Preservation And Exhibition 45200700		
	In Section 06 On Page 424		
3231A	Fixed Capital Outlay 080602 Repairs And Maintenance Of Historic		

	STATE, DEPARTMENT OF		
	Program: Historical Resources		
	Historical Resources Preservation And Exhibition 45200700		
	In Section 06 On Page 424		
3231A	Fixed Capital Outlay 080602 Repairs And Maintenance Of Historic Properties - Dms Mgd IOEI		
1000	General Revenue Fund	6,486,600	6,136,600
	CA -350,000 FSI1NR -350,000		
	COMMERCE, DEPARTMENT OF		
	Program: Community Development		
	Housing And Community Development 40300200		

In Section 06 On Page 338
 2347A Grants And Aids To Local Governments And 140220
 Nonstate Entities - Fixed Capital Outlay
 Housing And Community Development
 Projects - Fixed Capital Outlay IOEM

1000 General Revenue Fund 29,796,517 30,146,517
 CA 350,000 FSI1NR 350,000

CA 350,000 FSI1NR 350,000

At the end of existing proviso language, following Specific Appropriation 466A, INSERT:

YMCA of Collier County Healthy Living and Senior Center (Tracking 3717).....350,000

Pursuant to Rule 4.19, **SB 2500**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Following Specific Appropriation 2347A, INSERT:

Residences at Casa Familia (SF 2808)..... 350,000

Senator Rodriguez moved the following amendment which was adopted:

On motion by Senator Broxson—

SB 2502—A bill to be entitled An act implementing the 2024-2025 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program; reenacting and amending s. 1002.68, F.S.; extending for 1 fiscal year certain requirements for the Voluntary Prekindergarten Education Program; providing for the future expiration and reversion of specified statutory text; requiring the Department of Revenue to provide the taxable value for the Wakulla County School District by a specified date to be used for certain education funding programs and calculations; amending s. 1004.6495, F.S.; requiring the Board of Governors and the State Board of Education, in consultation with the Florida Center for Students with Unique Abilities, to establish a specified code by a specified date; authorizing the Agency for Health Care Administration to submit budget amendments within a specified timeframe to increase budget authority to support the implementation of the Medicaid home and community-based services Medicaid waiver program of the Agency for Persons with Disabilities; authorizing the Agency for Health Care Administration to submit a budget amendment for additional spending authority for the Disproportionate Share Hospital Program; requiring the budget amendment to include certain information; authorizing the Agency for Health Care Administration to submit a budget amendment to realign funding within the Medicaid program appropriation categories for a specified purpose; specifying the time period within which the budget amendment must be submitted; authorizing the Agency for Health Care Administration to submit a budget amendment to realign funding within the Florida Kidcare program appropriation categories or increase budget authority for certain purposes; specifying the time period within which the budget amendment must be submitted; amending s. 381.986, F.S.; extending for 1 fiscal year the exemption of certain rules pertaining to the medical use of marijuana from certain rulemaking requirements; amending s. 14(1), chapter 2017-232, Laws of Florida; exempting certain rules pertaining to medical marijuana adopted to replace emergency rules from specified rulemaking requirements; providing for the future expiration and reversion of a specified law; authorizing the Agency for Health Care Administration to submit budget amendments seeking additional spending authority to implement specified programs and payments; requiring institutions participating in a specified workforce expansion and education program to provide quarterly reports to the agency; authorizing the Agency for Health Care Administration to submit a budget amendment seeking additional spending authority to implement the Low-Income Pool component of the Florida Managed Medical Assistance Demonstration; requiring a certain signed attestation and acknowledgment for entities relating to the Low-Income Pool; authorizing the Agency for Health Care Administration to submit a budget amendment to implement certain payments and specified programs; authorizing the Agency for Health Care Administration to submit a budget amendment requesting additional spending authority to implement a specified program; authorizing the Department of Children and Families to submit a budget amendment to realign funding within specified areas of the department based on implementation of the Guardianship Assistance Program; authorizing the Department of Children and Families, the Department of Health, and the Agency for Health Care Administration to submit budget amendments to increase budget authority to support certain refugee programs; requiring the Department of Children and Families to submit specified quarterly reports to the Executive Office of the Governor and the Legislature; authorizing the Department of Children and Families to submit budget amendments to increase budget authority to support specified federal grant programs; authorizing the Department of Health to submit a budget amendment to increase budget authority for the Supplemental Nutrition Program for Women, Infants, and Children (WIC) and the Child Care Food Program if a certain condition is met; authorizing the Department of Health to submit a budget amendment to increase

Amendment 6 (995299)—

	DELETE	INSERT
HEALTH, DEPARTMENT OF Program: Community Public Health County Health Departments Local Health Needs 64200700		
In Section 03 On Page 119 507 Fixed Capital Outlay 081108 Health Facilities Repair And Maintenance - Statewide IOEJ		
1000 General Revenue Fund 4,606,000 4,256,000 CA -350,000 FSI1NR -350,000	4,606,000	4,256,000
ELDER AFFAIRS, DEPARTMENT OF Program: Services To Elders Program Home And Community Services 65100400		
In Section 03 On Page 103 401 Special Categories 100604 Grants And Aids - Older Americans Act Program IOEB		
1000 General Revenue Fund 13,750,026 14,100,026 CA 350,000 FSI1NR 350,000	13,750,026	14,100,026

At the end of existing proviso language, following Specific Appropriation 401, INSERT:

Broward Senior Support Services (SF 1135).....350,000

Senator Harrell moved the following amendment which was adopted:

Amendment 7 (995298)—

	DELETE	INSERT
HEALTH, DEPARTMENT OF Program: Community Public Health County Health Departments Local Health Needs 64200700		
In Section 03 On Page 119 507 Fixed Capital Outlay 081108 Health Facilities Repair And Maintenance - Statewide IOEJ		
1000 General Revenue Fund 4,606,000 4,256,000 CA -350,000 FSI1NR -350,000	4,606,000	4,256,000
Community Health Promotion 64200100		
In Section 03 On Page 113 466A Grants And Aids To Local Governments And 140998 Nonstate Entities - Fixed Capital Outlay Grants And Aids - Health Facilities IOEM		
1000 General Revenue Fund 22,241,614 22,591,614	22,241,614	22,591,614

budget authority for the HIV/AIDS Prevention and Treatment Program if a certain condition is met; authorizing the Department of Health to submit a budget amendment to increase budget authority for the department if additional federal revenues specific to COVID-19 relief funds become available; authorizing the balance of certain appropriations for the Pediatric Rare Disease Research Grant Program to be carried forward for a specified period of time; requiring the Agency for Health Care Administration to replace the Florida Medicaid Management Information System (FMMIS) and fiscal agent operations with a specified new system; specifying items that may not be included in the new system; providing directives to the Agency for Health Care Administration related to the new Florida Health Care Connection (FX) system; requiring the Agency for Health Care Administration to meet certain requirements in replacing FMMIS and the current Medicaid fiscal agent; requiring the Agency for Health Care Administration to implement a project governance structure that includes an executive steering committee; providing procedures for use by the executive steering committee; providing responsibilities of the executive steering committee; requiring the Agency for Health Care Administration, in consultation with the Department of Health, the Agency for Persons with Disabilities, the Department of Children and Families, and the Department of Corrections, to competitively procure a contract with a vendor to negotiate prices for certain prescribed drugs and biological products; providing requirements for such contract; authorizing the Agency for Persons with Disabilities to submit budget amendments to transfer funding from the Salaries and Benefits appropriation categories for a specified purpose; authorizing the Department of Veterans' Affairs to submit a budget amendment for specified purposes if additional direct care staff are needed to meet its established staffing ratio; amending s. 409.915, F.S.; extending for 1 fiscal year the exclusion of certain funds from the definition of the term "state Medicaid expenditures"; amending s. 216.262, F.S.; extending for 1 fiscal year the authority of the Department of Corrections to submit a budget amendment for additional positions and appropriations under certain circumstances; requiring review and approval by the Legislative Budget Commission; amending s. 215.18, F.S.; extending for 1 fiscal year the authority and related repayment requirements for temporary trust fund loans to the state court system which are sufficient to meet the system's appropriation; requiring the Department of Juvenile Justice to review county juvenile detention payments to determine whether a county has met specified financial responsibilities; requiring amounts owed by the county for such financial responsibilities to be deducted from certain county funds; requiring the Department of Revenue to transfer withheld funds to a specified trust fund; requiring the Department of Revenue to ensure that such reductions in amounts distributed do not reduce distributions below amounts necessary for certain payments due on bonds and to comply with bond covenants; requiring the Department of Revenue to notify the Department of Juvenile Justice if bond payment requirements mandate a reduction in deductions for amounts owed by a county; reenacting s. 27.40(1), (2)(a), (3)(a), (5), (6), and (7), F.S., relating to court-appointed counsel; extending for 1 fiscal year provisions governing the appointment of court-appointed counsel; providing for the future expiration and reversion of specified statutory text; reenacting and amending s. 27.5304, F.S.; extending for 1 fiscal year limitations on compensation for representation in criminal proceedings; providing for the future expiration and reversion of specified statutory text; amending s. 934.50, F.S.; extending for 1 fiscal year the drone replacement grant program within the Department of Law Enforcement; revising the eligibility for and use of program funds; requiring the Department of Management Services to use tenant broker services to renegotiate or reprocure certain private lease agreements for office or storage space; requiring the Department of Management Services to provide a report to the Governor and the Legislature by a specified date; prohibiting an agency from transferring funds from a data processing category to another category that is not a data processing category; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management insurance and for human resources services purchased per statewide contract; authorizing the Department of Management Services to use certain facility disposition funds from the Architects Incidental Trust Fund to pay for certain relocation expenses; authorizing the Department of Management Services to submit budget amendments for certain purposes related to the relocation; authorizing the Department of Management Services to acquire additional state-owned office buildings or property for inclusion in the Florida Facilities Pool; requiring the Department of Financial Services to replace specified components of the Florida Accounting Information Resource Sub-

system (FLAIR) and the Cash Management Subsystem (CMS); requiring the Department of Financial Services to take certain actions regarding FLAIR and CMS replacement; providing for the composition of an executive steering committee to oversee FLAIR and CMS replacement; prescribing duties and responsibilities of the executive steering committee; reenacting s. 282.709(3), F.S., relating to the state agency law enforcement radio system and interoperability network; providing for future expiration and reversion of specified statutory text; authorizing state agencies and other eligible users of the Statewide Law Enforcement Radio System to use the Department of Management Services contract to purchase equipment and services; requiring a specified transaction fee percentage for use of the online procurement system; amending s. 717.123, F.S.; extending for 1 fiscal year the authority of the Department of Financial Services to retain certain funds relating to unclaimed property and to make specified payments; amending s. 120.80, F.S.; extending for 1 fiscal year the exclusion of certain rules adopted by the Florida Public Service Commission in a certain fiscal year to specified provisions; amending s. 215.18, F.S.; extending for 1 fiscal year the authority of the Governor, if there is a specified temporary deficiency in a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission, to transfer funds from other trust funds in the State Treasury as a temporary loan to such trust fund; providing a deadline for the repayment of such temporary loan; requiring the Department of Environmental Protection to transfer designated proportions of the revenues deposited in the Land Acquisition Trust Fund within the department to land acquisition trust funds in the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission according to specified parameters and calculations; defining the term "department"; requiring the Department of Environmental Protection to make transfers to land acquisition trust funds monthly; specifying the method of determining transfer amounts; authorizing the Department of Environmental Protection to advance funds from its land acquisition trust fund to the Fish and Wildlife Conservation Commission's land acquisition trust fund for specified purposes; amending s. 259.105, F.S.; extending for 1 fiscal year the distribution of proceeds from the Florida Forever Trust Fund; reenacting s. 376.3071(15)(g), F.S., relating to the Inland Protection Trust Fund; exempting specified costs incurred by certain petroleum storage system owners or operators during a specified period from the prohibition against making payments in excess of amounts approved by the Department of Environmental Protection; providing for the future expiration and reversion of specified statutory text; requiring the Department of Citrus to enter into agreements to expedite the increased production of certain citrus trees and commercialize certain technologies; specifying a timeframe for entering into such agreements; requiring a specified certification; creating s. 601.295, F.S.; creating the Citrus Recovery Loan Program within the Department of Agriculture and Consumer Services for a specified purpose; providing requirements for application to and the disbursement of funds within the program; providing requirements and terms for the loans; authorizing the Department of Agriculture and Consumer Services to adopt rules; creating the Local Government Water Supply Grant Program within the Department of Environmental Protection; providing the purpose of the program; providing eligibility requirements; requiring the Department of Environmental Protection to expeditiously develop an application process; authorizing the Department of Environmental Protection to adopt rules; amending s. 380.5105, F.S.; providing legislative intent; creating, subject to appropriation, the working waterfronts capital outlay grant program; specifying the purpose of the grant program; providing eligible costs and expenditures for the grant program; providing requirements for the program; requiring the Department of Environmental Protection to implement a process to monitor and evaluate grant recipient performance; amending s. 321.04, F.S.; extending for 1 fiscal year the requirement that the Department of Highway Safety and Motor Vehicles assign one or more patrol officers to the office of Lieutenant Governor for security purposes, upon request of the Governor; extending for 1 fiscal year the requirement that the Department of Highway Safety and Motor Vehicles assign a patrol officer to a Cabinet member under certain circumstances; amending s. 288.80125, F.S.; extending for 1 fiscal year a requirement that funds in the Triumph Gulf Coast Trust Fund be related to Hurricane Michael recovery; reenacting s. 288.8013(3), F.S., relating to the Triumph Gulf Coast Trust Fund; providing for the future expiration and reversion of specified statutory text; amending s. 339.08, F.S.; appropriating funds to the State Transportation Trust Fund from the General Revenue

Fund as provided in the General Appropriations Act; amending s. 339.135, F.S.; extending for 1 fiscal year the authority for the chair and vice chair of the Legislative Budget Commission to approve certain work program amendments under specified circumstances; reenacting and amending s. 250.245, F.S.; extending for 1 fiscal year the Florida National Guard Joint Enlistment Enhancement Program within the Department of Military Affairs; amending s. 288.0655, F.S.; extending for 1 fiscal year a requirement that certain appropriated funds relating to the Rural Infrastructure Fund be distributed in a specified manner; authorizing the Division of Emergency Management to submit budget amendments to increase budget authority for certain project expenditures; amending s. 112.061, F.S.; extending for 1 fiscal year the authorization for the Lieutenant Governor to designate an alternative official headquarters under certain conditions; specifying restrictions, limitations, eligibility for the subsistence allowance, reimbursement of transportation expenses, and payment thereof; requiring the Department of Management Services to assess an administrative health insurance assessment on each state agency; providing the rate of such assessment; defining the term “state agency”; providing how a state agency shall remit certain funds; requiring the Department of Management Services to take certain actions in case of delinquencies; requiring the Chief Financial Officer to transfer funds under specified circumstances; providing an exception; requiring state agencies to provide a list of positions that qualify for such exception by a specified date and to update the list monthly thereafter; requiring state agencies to include the administrative health insurance assessment in their indirect cost plan; requiring agencies to notify the Department of Management Services regarding the approval of their updated indirect cost plans; authorizing the Executive Office of the Governor to transfer budget authority between agencies in specified circumstances; providing that the annual salaries of the members of the Legislature be maintained at a specified level; reenacting s. 215.32(2)(b), F.S., relating to the authorization for transferring unappropriated cash balances from selected trust funds to the Budget Stabilization Fund and General Revenue Fund; providing for future expiration and reversion of specific statutory text; specifying the type of travel for which state employee travel funds may be used; providing exceptions; providing a monetary cap on lodging costs for state employee travel to certain meetings organized or sponsored by a state agency or the judicial branch; authorizing employees to expend their own funds for lodging expenses that exceed the monetary caps; amending s. 216.292, F.S.; extending for 1 fiscal year the requirements for certain transfers; authorizing state agencies to purchase vehicles from nonstate term contract vendors without prior approval from the Department of Management Services under certain circumstances; authorizing the Department of Management Services, the Executive Office of the Governor, the Commissioner of Agriculture, the Chief Financial Officer, and the Attorney General to enter into specified leases as a lessee without having to advertise or receive competitive solicitations; requiring the Department of Environmental Protection to use specified funds to purchase lands or interests in lands within certain areas; requiring the Department of Environmental Protection to offer specified leases; authorizing the Executive Office of the Governor’s Office of Policy and Budget to submit a budget amendment to realign funding within and between agencies in appropriation categories specifically authorized for implementation of the state’s award from the federal Coronavirus State Fiscal Recovery Fund; providing requirements for the realignment; requiring the budget amendment to be submitted by a specified date; providing conditions under which the veto of certain appropriations or proviso language in the General Appropriations Act voids language that implements such appropriation; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing severability; providing for contingent retroactivity; providing effective dates.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2502** was placed on the calendar of Bills on Third Reading.

On motion by Senator Broxson—

SB 2504—A bill to be entitled An act relating to state employees; providing for the resolution of collective bargaining issues at impasse between the state and certified bargaining units of state employees; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2504** was placed on the calendar of Bills on Third Reading.

On motion by Senator Avila—

SB 7024—A bill to be entitled An act relating to employer contributions to fund retiree benefits; amending s. 121.71, F.S.; revising required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System; providing a declaration of important state interest; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 7024** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brodeur—

SB 2506—A bill to be entitled An act relating to trust funds; creating s. 16.717, F.S.; creating the Federal Law Enforcement Trust Fund within the Florida Gaming Control Commission; providing the purpose of the trust fund; providing for sources of funds; providing that the trust fund is exempt from a certain service charge; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2506** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brodeur—

SB 2508—A bill to be entitled An act relating to seized property; amending s. 849.19, F.S.; providing that any seized machine, apparatus, or device and the money or other things of value therein be deposited into the Pari-mutuel Wagering Trust Fund if the Florida Gaming Control Commission is the seizing agency; making technical changes; amending s. 849.44, F.S.; requiring that the proceeds from a sale or other disposition of property seized by the commission be deposited into the trust fund; making technical changes; amending s. 932.7055, F.S.; requiring that certain proceeds from liens or property seized by the commission be deposited into the trust fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2508** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bradley—

SB 520—A bill to be entitled An act relating to trust funds; re-creating the State-Operated Institutions Inmate Welfare Trust Fund within the Department of Corrections; amending s. 944.73, F.S.; abrogating provisions relating to the termination of the trust fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 520** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bradley—

SB 2510—A bill to be entitled An act relating to trust funds; creating s. 944.75, F.S.; creating the Correctional Facilities Capital Improvement Trust Fund within the Department of Corrections; providing the purpose of the trust fund; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2510** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bradley—

SB 2512—A bill to be entitled An act relating to correctional facilities capital improvement; creating s. 944.751, F.S.; providing legislative intent; requiring the deposit of appropriated funds and any net proceeds from the sale of bonds issued under the act into the Correctional Facilities Capital Improvement Trust Fund; requiring that such funds be used for specified purposes; requiring the Department of Corrections to include recommendations for the use of such funds in its annual legislative budget requests; requiring the department to contract with a construction management entity for projects exceeding a certain dollar amount; authorizing the Division of Bond Finance of the State Board of Administration to issue bonds for specified purposes; prohibiting the issuance of such bonds unless certain conditions are met, with an exception; creating a financing oversight committee consisting of specified persons for a specified purpose; requiring that the committee make a certain recommendation; providing a contingent effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2512** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bradley—

SB 2514—A bill to be entitled An act relating to judges; amending s. 26.031, F.S.; revising the number of circuit judges in certain judicial circuits; amending s. 34.022, F.S.; revising the number of county court judges in certain counties; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2514** was placed on the calendar of Bills on Third Reading.

On motion by Senator Perry—

SB 2516—A bill to be entitled An act relating to education; amending s. 110.123, F.S.; revising definitions; defining the term “participating college”; creating s. 110.1229, F.S.; defining the term “college”; authorizing the district board of trustees of a college to apply by a specified date for participation in the state group health insurance program and the prescription drug coverage program; requiring the college to agree to specified conditions; providing a timeframe for the enrollment period; providing applicability; creating s. 985.176, F.S.; subject to legislative appropriation, authorizing specified entities to contract with AMLkids, Inc., for specified purposes; amending s. 1002.33, F.S.; revising funding methods for students enrolled in certain charter schools; requiring a charter school to receive certain funds; requiring that certain funds be expended; amending s. 1002.391, F.S.; subject to legislative appropriation, creating the Bridge to Speech Program; providing for the use of funds; requiring the Department of Education to award funds by a specified date; amending s. 1002.394, F.S.; revising requirements for the Family Empowerment Scholarship Program; amending s. 1002.395, F.S.; revising requirements for the Florida Tax Credit Scholarship Program; amending s. 1002.71, F.S.; revising the percentage of certain funds that may be expended by an early learning coalition; making technical changes; creating s. 1003.4206, F.S.; subject to legislative appropriation, creating the Charity for Change program; authorizing the program to use third-party providers to deliver specified services; amending s. 1003.435, F.S.; requiring district school boards to notify all candidates for the high school equivalency diploma of adult secondary and postsecondary education options; creating s. 1004.933, F.S.; providing legislative intent; defining the terms “career education program” and “institution”; establishing the Graduation Alternative to Traditional Education (GATE) Program within the Department of Education; providing the purposes of the program; providing that students enrolled in the program are exempt from payments for registration, tuition, laboratory, and examination fees; providing eligibility requirements; prohibiting an institution from imposing additional eligibility requirements; requiring the State Board of Education to adopt rules; amending s. 1008.34, F.S.; providing that students in high school who enroll in the

GATE Program may not be included in their school’s graduation rate; creating s. 1009.711, F.S.; creating the GATE Scholarship Program; requiring the department to administer the program; requiring the program to reimburse eligible institutions for student costs; requiring participating institutions to report to the department all students enrolled in the program; requiring the department to reimburse participating institutions within a specified timeframe; providing that reimbursements are contingent on legislative appropriations and may be prorated in the event that total reimbursements owed exceed available funds; requiring the state board to adopt rules; amending s. 1011.62, F.S.; creating the juvenile justice education supplement; providing the purpose of the supplemental allocation for juvenile justice education programs; providing for calculation of the supplement as the sum of specified allocations; revising the calculation of the class-size-reduction allocation and specifying the manner for calculating the student allocation; amending s. 1011.80, F.S.; revising the number of courses that certain students may be reported for, relating to funding purposes; providing that such courses do not have to be core curricula courses; deleting a requirement for the department to develop a list of courses to be designated as core curricula courses; creating s. 1011.804, F.S.; creating the GATE Program Student Success Incentive Fund for a specified purpose; defining the term “institution”; providing that, subject to the appropriation of funds by the Legislature, each participating institution must receive specified allocations; providing for proration of funds, as necessary; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2516** was placed on the calendar of Bills on Third Reading.

On motion by Senator Harrell—

SB 2518—A bill to be entitled An act relating to health and human services; amending s. 39.6225, F.S.; revising the minimum age at which a child may be covered by a guardianship assistance agreement entered into by his or her permanent guardian; amending ss. 381.4019 and 381.402, F.S.; providing for the deposit and use of funds from the Dental Student Loan Repayment Program and the Florida Reimbursement Assistance for Medical Education Program, respectively, which are returned by a financial institution to the Department of Health; authorizing the department to submit budget amendments for a specified purpose; amending s. 409.166, F.S.; revising the criteria, as of a specified date, for the Department of Children and Families to make adoption assistance payments for certain children; amending s. 409.1664, F.S.; revising the amounts of the lump sum payments that qualifying adoptive employees of state agencies, veterans, and servicemembers are eligible to receive; conforming provisions to changes made by the act; amending s. 409.1451, F.S.; revising eligibility criteria for certain young adults for postsecondary education services and support and aftercare services under the Road-to-Independence Program; amending s. 430.204, F.S.; authorizing area agencies on aging to carry forward a specified percentage of documented unexpended state funds, subject to certain conditions; amending s. 430.84, F.S.; authorizing the Agency for Health Care Administration to adopt rules to implement a specified law; amending s. 391.016, F.S.; revising the purposes and functions of the Children’s Medical Services program; amending s. 391.021, F.S.; revising definitions; amending s. 391.025, F.S.; revising the applicability and scope of the program; amending s. 391.026, F.S.; revising the powers and duties of the Department of Health to conform to changes made by the act; repealing s. 391.028, F.S., relating to the administration of the Children’s Medical Services program; amending s. 391.029, F.S.; revising program eligibility requirements; amending s. 391.0315, F.S.; conforming provisions to changes made by the act; repealing ss. 391.035, 391.037, 391.045, 391.047, 391.055, and 391.071, F.S., relating to provider qualifications, physicians providing private sector services, reimbursement for health care providers for services rendered through the Children’s Medical Services network, third-party payments for health services, service delivery systems, and the Children’s Medical Services program quality of care requirements, respectively; amending s. 391.097, F.S.; revising provisions relating to research and evaluation to conform to changes made by the act; repealing part II of ch. 391, F.S., relating to Children’s Medical Services councils and panels; transferring operation of the Children’s Medical Services Managed Care Plan from the Department of Health to the Agency for Health Care Administration, effective on a specified date; providing construction as to judicial and administrative actions pending as of a

specified date and time; requiring the department’s Children’s Medical Services program to collaborate with and assist the agency in specified activities; requiring the department to conduct certain clinical eligibility screenings; amending s. 409.974, F.S.; requiring the department, in consultation with the agency, to competitively procure and implement one or more managed care plan contracts to provide services for certain children with special health care needs; requiring the department’s Children’s Medical Services program to assist the agency in developing certain specifications for the vendor contracts to provide services for certain children with special health care needs; requiring the department to conduct clinical eligibility screenings for services for such children and collaborate with the agency in the care of such children; conforming a provision to changes made by the act; amending ss. 409.166, 409.811, 409.813, 409.8134, 409.814, 409.815, 409.8177, 409.818, 409.912, 409.9126, 409.9131, 409.920, and 409.962, F.S.; conforming provisions to changes made by the act; providing effective dates.

Hutson	Pizzo	Thompson
Ingolia	Polsky	Torres
Jones	Powell	Trumbull
Martin	Rodriguez	Wright
Mayfield	Rouson	Yarborough
Osgood	Simon	
Perry	Stewart	

Nays—None

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2518** was placed on the calendar of Bills on Third Reading.

MOTIONS

On motion by Senator Broxson, the rules were waived and the staff of the Committee on Appropriations was instructed to make title amendments and technical and conforming changes in **SB 2500** and **SB 2502**.

SPECIAL ORDER CALENDAR, continued

CS for SB 7028—A bill to be entitled An act relating to the My Safe Florida Home Program; amending s. 215.5586, F.S.; revising legislative intent; specifying eligibility requirements for hurricane mitigation inspections under the program; specifying requirements for a hurricane mitigation inspection application; authorizing an applicant to submit a subsequent hurricane mitigation inspection application under certain conditions; authorizing applicants who meet specified requirements to receive a home inspection under the program without being eligible for, or applying for, a grant; specifying eligibility requirements for hurricane mitigation grants; revising application requirements for hurricane mitigation grants; authorizing an applicant to submit a subsequent hurricane mitigation grant application under certain conditions; requiring that a grant application include certain information; deleting and revising provisions relating to the selection of hurricane mitigation inspectors and contractors; deleting the requirement that matching fund grants be made available to certain entities; revising improvements that grants for eligible homes may be used for; deleting the authorization to use grants on rebuilds; requiring the Department of Financial Services to develop a process that ensures the most efficient means to collect and verify inspection applications; requiring the department to prioritize the review and approval of inspection and grant applications in a specified order; requiring the department to start accepting inspection and grant applications as specified in the act; requiring homeowners to finalize construction and make certain requests within a specified time; providing that an application is deemed abandoned under certain circumstances; authorizing the department to request certain information; providing that an application is considered withdrawn under certain circumstances; revising provisions regarding the development of brochures; requiring the Citizens Property Insurance Corporation to distribute such brochures to specified persons; providing appropriations; providing an effective date.

—was read the second time by title. On motion by Senator Boyd, by two-thirds vote, **CS for SB 7028** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

CS for SB 7038—A bill to be entitled An act relating to education; amending s. 1002.321, F.S.; providing legislative findings; authorizing a school district to receive grant funds for specified purposes; requiring grant recipients to select an artificial intelligence platform that meets certain requirements; amending s. 1002.411, F.S.; revising eligibility requirements for a New Worlds Scholarship account; requiring a parent to use the administrator’s system to make direct purchases of qualifying expenditures; specifying additional qualifying expenditures; requiring that the administrator of a New Worlds Scholarship account be an eligible nonprofit scholarship-funding organization; requiring each school district and prekindergarten provider to notify the parent of each eligible student of the process to request and receive a scholarship when providing certain screening and progress monitoring results; requiring eligible nonprofit scholarship-funding organizations to develop a system that allows eligible students to make direct purchases of qualifying expenditures; deleting a requirement for payments to be made on a quarterly basis; amending s. 1003.485, F.S.; revising definitions of the terms “administrator” and “micro-credential”; deleting responsibilities for the Department of Education relating to the New Worlds Reading Initiative; requiring the department to provide the administrator with progress monitoring data for certain students; revising the information that the administrator must include in an annual financial report; making technical changes; creating s. 1004.561, F.S.; creating the Lastinger Center for Learning at the University of Florida; providing the duties of the center; amending s. 1008.25, F.S.; making technical changes; requiring that the progress monitoring system provide pre-kindergarten instructors with certain results within a specified timeframe; creating s. 1008.366, F.S.; creating the New Worlds Tutoring Program; providing the purpose of the program; providing requirements for the program; requiring the administrator of the program to provide a report to specified entities by a specified date annually; amending ss. 1003.01 and 1003.499, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 7038**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1361** was withdrawn from the Committee on Appropriations.

On motion by Senator Yarborough—

CS for HB 1361—A bill to be entitled An act relating to education; amending s. 1002.321, F.S.; providing for the award of grants to school districts to implement artificial intelligence in support of students and teachers; providing requirements for the use of such artificial intelligence; amending s. 1002.411, F.S.; expanding eligibility for New Worlds Scholarship Accounts to certain students enrolled in the Voluntary Prekindergarten Education Program; revising program eligibility criteria; revising eligible expenses for students who have an account; requiring parents to use a specified system to make direct purchases if such system is available; providing that certain organizations are administrators for purposes of establishing scholarship accounts; revising school district and private prekindergarten provider notification requirements; revising requirements for the Department of Education to release scholarship funds; authorizing certain organizations to develop a system for the direct purchase of qualifying expenditures; deleting provisions relating to fund transfers and certain payment methods; deleting a requirement for quarterly payments of scholarships; amending s. 1003.01, F.S.; conforming a cross-reference; amending s. 1003.485, F.S.; providing that the University of Florida Lastinger Center for Learning is the administrator for the New Worlds Reading Initiative; revising definitions; deleting a requirement that the department designate an administrator for the initiative; requiring the department to provide specified data to the administrator within specified timeframe; requiring the administrator to include certain in-

formation in a specified annual report; revising eligibility criteria for the initiative; deleting obsolete language; amending s. 1003.499, F.S.; conforming a cross-reference; creating s. 1004.646, F.S.; creating the Lastinger Center for Learning at the University of Florida; providing duties and responsibilities of the center; amending s. 1008.25, F.S.; making technical changes; requiring progress monitoring results to be provided to prekindergarten instructors within a specified timeframe; creating s. 1008.366, F.S.; requiring an eligible nonprofit scholarship-funding organization to administer a tutoring program to provide specified academic support for students; providing duties and responsibilities of the organization; requiring the organization to annually provide a report to the Legislature and the Commissioner of Education by a specified date; providing an effective date.

—a companion measure, was substituted for **CS for SB 7038** and read the second time by title.

Senator Yarborough moved the following amendment which was adopted:

Amendment 1 (660000) (with title amendment)—Delete lines 551-728 and insert:

(5) *Administer the New Worlds Tutoring Program that supports school districts and schools in improving student achievement in reading and mathematics pursuant to s. 1008.366.*

Section 7. Paragraph (d) of subsection (5), paragraph (c) of subsection (6), and paragraph (c) of subsection (9) of section 1008.25, Florida Statutes, are amended to read:

1008.25 Public school student progression; student support; coordinated screening and progress monitoring; reporting requirements.—

(5) **READING DEFICIENCY AND PARENTAL NOTIFICATION.**—

(d) The parent of any student who exhibits a substantial deficiency in reading, as described in paragraph (a), must be notified in writing of the following:

1. That his or her child has been identified as having a substantial deficiency in reading, including a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in reading.

2. A description of the current services that are provided to the child.

3. A description of the proposed intensive interventions and supports that will be provided to the child that are designed to remediate the identified area of reading deficiency.

4. That if the child's reading deficiency is not remediated by the end of grade 3, the child must be retained unless he or she is exempt from mandatory retention for good cause.

5. Strategies, including multisensory strategies and programming, through a read-at-home plan the parent can use in helping his or her child succeed in reading. The read-at-home plan must provide access to the resources identified in paragraph (e) (f).

6. That the statewide, standardized English Language Arts assessment is not the sole determiner of promotion and that additional evaluations, portfolio reviews, and assessments are available to the child to assist parents and the school district in knowing when a child is reading at or above grade level and ready for grade promotion.

7. The district's specific criteria and policies for a portfolio as provided in subparagraph (7)(b)4. and the evidence required for a student to demonstrate mastery of Florida's academic standards for English Language Arts. A school must immediately begin collecting evidence for a portfolio when a student in grade 3 is identified as being at risk of retention or upon the request of the parent, whichever occurs first.

8. The district's specific criteria and policies for midyear promotion. Midyear promotion means promotion of a retained student at any time during the year of retention once the student has demonstrated ability to read at grade level.

9. Information about the student's eligibility for the New Worlds Reading Initiative under s. 1003.485 and the New Worlds Scholarship Accounts under s. 1002.411 and information on parent training modules and other reading engagement resources available through the initiative.

After initial notification, the school shall apprise the parent at least monthly of the student's progress in response to the intensive interventions and supports. Such communications must be in writing and must explain any additional interventions or supports that will be implemented to accelerate the student's progress if the interventions and supports already being implemented have not resulted in improvement.

(6) **MATHEMATICS DEFICIENCY AND PARENTAL NOTIFICATION.**—

(c) The parent of a student who exhibits a substantial deficiency in mathematics, as described in paragraph (a), must be notified in writing of the following:

1. That his or her child has been identified as having a substantial deficiency in mathematics, including a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in mathematics.

2. A description of the current services that are provided to the child.

3. A description of the proposed intensive interventions and supports that will be provided to the child that are designed to remediate the identified area of mathematics deficiency.

4. Strategies, including multisensory strategies and programming, through a home-based plan the parent can use in helping his or her child succeed in mathematics. The home-based plan must provide access to the resources identified in paragraph (d) (e).

After the initial notification, the school shall apprise the parent at least monthly of the student's progress in response to the intensive interventions and supports. Such communications must be in writing and must explain any additional interventions or supports that will be implemented to accelerate the student's progress if the interventions and supports already being implemented have not resulted in improvement.

(9) **COORDINATED SCREENING AND PROGRESS MONITORING SYSTEM.**—

(c) To facilitate timely interventions and supports pursuant to subsection (4), the system must provide results from the first two administrations of the progress monitoring to a student's teacher *or prekindergarten instructor* within 1 week and to the student's parent within 2 weeks ~~after~~ of the administration of the progress monitoring. Delivery of results from the comprehensive, end-of-year progress monitoring ELA assessment for grades 3 through 10 and Mathematics assessment for grades 3 through 8 must be in accordance with s. 1008.22(7)(h).

1. A student's results from the coordinated screening and progress monitoring system must be recorded in a written, easy-to-comprehend individual student report. Each school district shall provide a parent secure access to his or her child's individual student reports through a web-based portal as part of its student information system. Each early learning coalition shall provide parents the individual student report in a format determined by state board rule.

2. In addition to the information under subparagraph (a)5., the report must also include parent resources that explain the purpose of progress monitoring, assist the parent in interpreting progress monitoring results, and support informed parent involvement. Parent resources may include personalized video formats.

3. The department shall annually update school districts and early learning coalitions on new system features and functionality and collaboratively identify with school districts and early learning coalitions strategies for meaningfully reporting to parents results from the coordinated screening and progress monitoring system. The department shall develop ways to increase the utilization, by instructional staff and parents, of student assessment data and resources.

4. An individual student report must be provided in a printed format upon a parent's request.

Section 8. Section 1008.366, Florida Statutes, is created to read:

1008.366 *The New Worlds Tutoring Program.*—

(1) *The New Worlds Tutoring Program is created to support school districts and schools in improving student achievement in reading and mathematics by:*

(a) *Providing best practice science of reading guidelines for districts in consultation with the Just Read, Florida! Office.*

(b) *Providing best practice guidelines for mathematics tutoring in alignment with Florida's Benchmarks for Excellent Student Thinking (B.E.S.T.) Standards for mathematics.*

(c) *Establishing minimum standards that each school district must meet to participate in the program. The minimum standards must address:*

1. *Appropriate group sizes for tutoring sessions.*
2. *The frequency and duration of tutoring sessions.*
3. *Minimum staffing qualifications for tutors.*
4. *The use of ongoing, informal and formal assessments to target instructional interventions.*
5. *Prioritization strategies for tutoring students.*

(d) *Providing access during the school day to additional literacy or mathematics support through evidence-based automated literacy tutoring software that provides each student with real-time interventions that are based in science of reading principles or mathematics instructional best practices and individually tailored to the needs and ability of each student. Access shall be provided to students in kindergarten through grade 5 enrolled in a public school who have a substantial deficiency in reading or mathematics in accordance with s. 1008.25. The term "evidence-based" has the same meaning as in s. 1003.4201(6).*

(e) *Awarding grants to school districts that may be used for stipends for in-person tutoring during the school day, before and after school, or during a summer program. In-person tutoring may be provided to, at a minimum, kindergarten through grade 5 students enrolled in a public school who have a substantial deficiency in reading or mathematics in accordance with s. 1008.25. To identify eligible students, the department shall provide the administrator with mathematics and reading progress monitoring data for eligible kindergarten through grade 12 students within 30 days after the close of each progress monitoring period.*

(f) *Providing technical assistance and professional learning to school districts, including:*

1. *Advising district staff on tutoring program design and intervention selection upon request.*
2. *Assisting districts in reviewing tutoring programs, professional learning programs, curriculum, and resources to ensure that they adhere to the science of reading or best practices in mathematics.*
3. *Providing professional learning to district staff to build their knowledge and skills around the science of reading or best practices in mathematics.*

(2) *Annually, by July 1, the administrator of the New Worlds Tutoring Program shall provide to*

And the title is amended as follows:

Delete lines 45-49 and insert: creating the New Worlds Tutoring Program to provide specified academic support for students; providing the purpose of the program; requiring the administrator of the program to annually

On motion by Senator Yarborough, by two-thirds vote, **CS for HB 1361**, 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 SB 328—A bill to be entitled An act relating to affordable housing; amending ss. 125.01055 and 166.04151, F.S.; clarifying application; prohibiting counties and municipalities, respectively, from restricting the floor area ratio of certain proposed developments under certain circumstances; providing that the density, floor area ratio, or height of certain developments, bonuses, variances, or other special exceptions are not included in the calculation of the currently allowed density, floor area ratio, or height by counties and municipalities, respectively; authorizing counties and municipalities, respectively, to restrict the height of proposed developments under certain circumstances; prohibiting the administrative approval by counties and municipalities, respectively, of a proposed development within a specified proximity to a military installation; requiring counties and municipalities, respectively, to maintain a certain policy on their websites; requiring counties and municipalities, respectively, to consider reducing parking requirements under certain circumstances; requiring counties and municipalities, respectively, to reduce or eliminate parking requirements for certain proposed mixed-use developments that meet certain requirements; providing certain requirements for developments located within a transit-oriented development or area; defining the term "major transportation hub"; making technical changes; providing requirements for developments authorized located within a transit-oriented development or area; clarifying that a county or municipality, respectively, is not precluded from granting additional exceptions; clarifying that a proposed development is not precluded from receiving a bonus for density, height, or floor area ratio if specified conditions are satisfied; revising applicability; authorizing specified developments to be treated as a conforming use under certain circumstances; authorizing specified developments to be treated as a nonconforming use under certain circumstances; amending s. 196.1978, F.S.; revising the definition of the term "newly constructed"; revising conditions for when multifamily projects are considered property used for a charitable purpose and are eligible to receive an ad valorem property tax exemption; making technical changes; requiring property appraisers to make certain exemptions from ad valorem property taxes; providing the method for determining the value of a unit for certain purposes; requiring property appraisers to review certain applications and make certain determinations; authorizing property appraisers to request and review additional information; authorizing property appraisers to grant exemptions only under certain conditions; revising requirements for property owners seeking a certification notice from the Florida Housing Finance Corporation; providing that a certain determination by the corporation does not constitute an exemption; conforming provisions to changes made by the act; amending s. 196.1979, F.S.; revising the value to which a certain ad valorem property tax exemption applies; revising a condition of eligibility for vacant residential units to qualify for a certain ad valorem property tax exemption; making technical changes; revising the deadline for an application for exemption; revising deadlines by which boards and governing bodies must deliver to or notify the Department of Revenue of the adoption, repeal, or expiration of certain ordinances; requiring property appraisers to review certain applications and make certain determinations; authorizing property appraisers to request and review additional information; authorizing property appraisers to grant exemptions only under certain conditions; providing the method for determining the value of a unit for certain purposes; providing for retroactive application; amending s. 333.03, F.S.; exclud-

ing certain proposed developments from specified airport zoning provisions; amending s. 420.507, F.S.; revising the enumerated powers of the corporation; amending s. 420.5096, F.S.; making technical changes; amending s. 420.518, F.S.; specifying conditions under which the corporation may preclude applicants from corporation programs; providing an appropriation; providing an effective date.

—was read the second time by title.

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

Senator Calatayud moved the following amendment which was adopted:

Amendment 1 (155140) (with title amendment)—Delete lines 113-384 and insert:

include the density of any building that met the requirements of this subsection or the density of any building that has received any bonus, variance, or other special exception for density provided in the county's land development regulations as an incentive for development.

(c) *A county may not restrict the floor area ratio of a proposed development authorized under this subsection below 150 percent of the highest currently allowed floor area ratio on any unincorporated land in the county where development is allowed under the county's land development regulations. For purposes of this paragraph, the term "highest currently allowed floor area ratio" does not include the floor area ratio of any building that met the requirements of this subsection or the floor area ratio of any building that has received any bonus, variance, or other special exception for floor area ratio provided in the county's land development regulations as an incentive for development. For purposes of this subsection, the term floor area ratio includes floor lot ratio.*

(d)1.(e) *A county may not restrict the height of a proposed development authorized under this subsection below the highest currently allowed height for a commercial or residential building development located in its jurisdiction within 1 mile of the proposed development or 3 stories, whichever is higher. For purposes of this paragraph, the term "highest currently allowed height" does not include the height of any building that met the requirements of this subsection or the height of any building that has received any bonus, variance, or other special exception for height provided in the county's land development regulations as an incentive for development.*

2. *If the proposed development is adjacent to, on two or more sides, a parcel zoned for single-family residential use which is within a single-family residential development with at least 25 contiguous single-family homes, the county may restrict the height of the proposed development to 150 percent of the tallest building on any property adjacent to the proposed development, the highest currently allowed height for the property provided in the county's land development regulations, or 3 stories, whichever is higher. For the purposes of this paragraph, the term "adjacent to" means those properties sharing more than one point of a property line, but does not include properties separated by a public road.*

(e)(d) *A proposed development authorized under this subsection must be administratively approved and no further action by the board of county commissioners is required if the development satisfies the county's land development regulations for multifamily developments in areas zoned for such use and is otherwise consistent with the comprehensive plan, with the exception of provisions establishing allowable densities, floor area ratios, height, and land use. Such land development regulations include, but are not limited to, regulations relating to setbacks and parking requirements. A proposed development located within one-quarter mile of a military installation identified in s. 163.3175(2) may not be administratively approved. Each county shall maintain on its website a policy containing procedures and expectations for administrative approval pursuant to this subsection.*

(f)1.(e) *A county must consider reducing parking requirements for a proposed development authorized under this subsection if the development is located within one-quarter one-half mile of a major transit stop, as defined in the county's land development code, and the major transit stop is accessible from the development.*

2. *A county must reduce parking requirements by at least 20 percent for a proposed development authorized under this subsection if the development:*

a. *Is located within one-half mile of a major transportation hub that is accessible from the proposed development by safe, pedestrian-friendly means, such as sidewalks, crosswalks, elevated pedestrian or bike paths, or other multimodal design features; and*

b. *Has available parking within 600 feet of the proposed development which may consist of options such as on-street parking, parking lots, or parking garages available for use by residents of the proposed development. However, a county may not require that the available parking compensate for the reduction in parking requirements.*

3. *A county must eliminate parking requirements for a proposed mixed-use residential development authorized under this subsection within an area recognized by the county as a transit-oriented development or area, as provided in paragraph (h).*

4. *For purposes of this paragraph, the term "major transportation hub" means any transit station, whether bus, train, or light rail, which is served by public transit with a mix of other transportation options.*

(g)(f) *For proposed multifamily developments in an unincorporated area zoned for commercial or industrial use which is within the boundaries of a multicounty independent special district that was created to provide municipal services and is not authorized to levy ad valorem taxes, and less than 20 percent of the land area within such district is designated for commercial or industrial use, a county must authorize, as provided in this subsection, such development only if the development is mixed-use residential.*

(h) *A proposed development authorized under this subsection which is located within a transit-oriented development or area, as recognized by the county, must be mixed-use residential and otherwise comply with requirements of the county's regulations applicable to the transit-oriented development or area except for use, height, density, floor area ratio, and parking as provided in this subsection or as otherwise agreed to by the county and the applicant for the development.*

(i)(g) *Except as otherwise provided in this subsection, a development authorized under this subsection must comply with all applicable state and local laws and regulations.*

(j)1. *Nothing in this subsection precludes a county from granting a bonus, variance, conditional use, or other special exception for height, density, or floor area ratio in addition to the height, density, and floor area ratio requirements in this subsection.*

2. *Nothing in this subsection precludes a proposed development authorized under this subsection from receiving a bonus for density, height, or floor area ratio pursuant to an ordinance or regulation of the jurisdiction where the proposed development is located if the proposed development satisfies the conditions to receive the bonus except for any condition which conflicts with this subsection. If a proposed development qualifies for such bonus, the bonus must be administratively approved by the county and no further action by the board of county commissioners is required.*

(k)(h) *This subsection does not apply to:*

1. *Airport-impacted areas as provided in s. 333.03.*

2. *Property defined as recreational and commercial working waterfront in s. 342.201(2)(b) in any area zoned as industrial.*

(l)(i) *This subsection expires October 1, 2033.*

(8) *Any development authorized under paragraph (7)(a) must be treated as a conforming use even after the expiration of subsection (7) and the development's affordability period as provided in paragraph (7)(a), notwithstanding the county's comprehensive plan, future land use designation, or zoning. If at any point during the development's affordability period the development violates the affordability period requirement provided in paragraph (7)(a), the development must be allowed a reasonable time to cure such violation. If the violation is not cured within a reasonable time, the development must be treated as a nonconforming use.*

Section 2. Subsection (7) of section 166.04151, Florida Statutes, is amended, and subsection (8) is added to that section, to read:

166.04151 Affordable housing.—

(7)(a) A municipality must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use if at least 40 percent of the residential units in a proposed multifamily ~~rental~~ development are rental units that, for a period of at least 30 years, are affordable as defined in s. 420.0004. Notwithstanding any other law, local ordinance, or regulation to the contrary, a municipality may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes.

(b) A municipality may not restrict the density of a proposed development authorized under this subsection below the highest currently allowed density on any land in the municipality where residential development is allowed under the municipality's land development regulations. For purposes of this paragraph, the term "highest currently allowed density" does not include the density of any building that met the requirements of this subsection or the density of any building that has received any bonus, variance, or other special exception for density provided in the municipality's land development regulations as an incentive for development.

(c) A municipality may not restrict the floor area ratio of a proposed development authorized under this subsection below 150 percent of the highest currently allowed floor area ratio on any land in the municipality where development is allowed under the municipality's land development regulations. For purposes of this paragraph, the term "highest currently allowed floor area ratio" does not include the floor area ratio of any building that met the requirements of this subsection or the floor area ratio of any building that has received any bonus, variance, or other special exception for floor area ratio provided in the municipality's land development regulations as an incentive for development. For purposes of this subsection, the term "floor area ratio" includes floor lot ratio.

(d)1.(~~e~~) A municipality may not restrict the height of a proposed development authorized under this subsection below the highest currently allowed height for a commercial or residential building ~~development~~ located in its jurisdiction within 1 mile of the proposed development or 3 stories, whichever is higher. For purposes of this paragraph, the term "highest currently allowed height" does not include the height of any building that met the requirements of this subsection or the height of any building that has received any bonus, variance, or other special exception for height provided in the municipality's land development regulations as an incentive for development.

2. If the proposed development is adjacent to, on two or more sides, a parcel zoned for single-family residential use that is within a single-family residential development with at least 25 contiguous single-family homes, the municipality may restrict the height of the proposed development to 150 percent of the tallest building on any property adjacent to the proposed development, the highest currently allowed height for the property provided in the municipality's land development regulations, or 3 stories, whichever is higher. For the purposes of this paragraph, the term "adjacent to" means those properties sharing more than one point of a property line, but does not include properties separated by a public road.

(e)(~~d~~) A proposed development authorized under this subsection must be administratively approved and no further action by the governing body of the municipality is required if the development satisfies the municipality's land development regulations for multifamily developments in areas zoned for such use and is otherwise consistent with the comprehensive plan, with the exception of provisions establishing allowable densities, floor area ratios, height, and land use. Such land development regulations include, but are not limited to, regulations relating to setbacks and parking requirements. A proposed development located within one-quarter mile of a military installation identified in s. 163.3175(2) may not be administratively approved. Each municipality shall maintain on its website a policy containing procedures and expectations for administrative approval pursuant to this subsection.

(f)1.(~~e~~) A municipality must consider reducing parking requirements for a proposed development authorized under this subsection if the development is located within one-quarter ~~one-half~~ mile of a major transit stop, as defined in the municipality's land development code, and the major transit stop is accessible from the development.

2. A municipality must reduce parking requirements by at least 20 percent for a proposed development authorized under this subsection if the development:

a. Is located within one-half mile of a major transportation hub that is accessible from the proposed development by safe, pedestrian-friendly means, such as sidewalks, crosswalks, elevated pedestrian or bike paths, or other multimodal design features.

b. Has available parking within 600 feet of the proposed development which may consist of options such as on-street parking, parking lots, or parking garages available for use by residents of the proposed development. However, a municipality may not require that the available parking compensate for the reduction in parking requirements.

3. A municipality must eliminate parking requirements for a proposed mixed-use residential development authorized under this subsection within an area recognized by the municipality as a transit-oriented development or area, as provided in paragraph (h).

4. For purposes of this paragraph, the term "major transportation hub" means any transit station, whether bus, train, or light rail, which is served by public transit with a mix of other transportation options.

(g)(~~f~~) A municipality that designates less than 20 percent of the land area within its jurisdiction for commercial or industrial use must authorize a proposed multifamily development as provided in this subsection in areas zoned for commercial or industrial use only if the proposed multifamily development is mixed-use residential.

(h) A proposed development authorized under this subsection which is located within a transit-oriented development or area, as recognized by the municipality, must be mixed-use residential and otherwise comply with requirements of the municipality's regulations applicable to the transit-oriented development or area except for use, height, density, floor area ratio, and parking as provided in this subsection or as otherwise agreed to by the municipality and the applicant for the development.

(i)(~~g~~) Except as otherwise provided in this subsection, a development authorized under this subsection must comply with all applicable state and local laws and regulations.

(j)1. Nothing in this subsection precludes a municipality from granting a bonus, variance, conditional use, or other special exception to height, density, or floor area ratio in addition to the height, density, and floor area ratio requirements in this subsection.

2. Nothing in this subsection precludes a proposed development authorized under this subsection from receiving a bonus for density, height, or floor area ratio pursuant to an ordinance or regulation of the jurisdiction where the proposed development is located if the proposed development satisfies the conditions to receive the bonus except for any condition which conflicts with this subsection. If a proposed development qualifies for such bonus, the bonus must be administratively approved by the municipality and no further action by the governing body of the municipality is required.

(k)(~~h~~) This subsection does not apply to:

1. Airport-impacted areas as provided in s. 333.03.

2. Property defined as recreational and commercial working waterfront in s. 342.201(2)(b) in any area zoned as industrial.

(l)(~~i~~) This subsection expires October 1, 2033.

(8) Any development authorized under paragraph (7)(a) must be treated as a conforming use even after the expiration of subsection (7) and the development's affordability period as provided in paragraph (7)(a), notwithstanding the municipality's comprehensive plan, future land use designation, or zoning. If at any point during the development's affordability period the development violates the affordability period requirement provided in paragraph (7)(a), the development must be al-

lowed a reasonable time to cure such violation. If the violation is not cured within a reasonable time, the development must be treated as a nonconforming use.

Section 3. *An applicant for a proposed development authorized under s. 125.01055(7) or s. 166.04151(7), Florida Statutes, who submitted an application, written request, or notice of intent to utilize such provisions to the county or municipality and which has been received by the county or municipality, as applicable, before the effective date of this act may notify the county or municipality by July 1, 2024, of its intent to proceed under the provisions of s. 125.01055(7) or s. 166.04151(7), Florida Statutes, as they existed at the time of submittal. A county or municipality shall allow an applicant who submitted such application, written request, or notice of intent before the effective date of this act the opportunity to submit a revised application, written request, or notice of intent to account for the changes made by this act.*

And the title is amended as follows:

Delete lines 36-41 and insert: specified conditions are satisfied; requiring that such bonuses be administratively approved by counties and municipalities, respectively; revising applicability; authorizing that specified developments be treated as a conforming use under certain circumstances; authorizing that specified developments be treated as a nonconforming use under certain circumstances; authorizing applicants for certain proposed developments to notify a county or municipality, as applicable, of their intent to proceed under certain provisions; requiring counties and municipalities to allow certain applicants to submit a revised application, written request, or notice of intent; amending s. 196.1978, F.S.; revising

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

Senator Garcia moved the following amendment which was adopted:

Amendment 2 (204708) (with title amendment)—Delete line 528 and insert:
196.1979 or units used as a transient public lodging establishment as defined in s. 509.013 are ~~is~~ not eligible for this exemption.

And the title is amended as follows:

Delete line 59 and insert: an exemption; revising eligibility; conforming provisions to changes made by

On motion by Senator Calatayud, by two-thirds vote, **CS for CS for SB 328**, as amended, was read the third time by title, passed, ordered engrossed, and then 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 770—A bill to be entitled An act relating to improvements to real property; amending s. 163.08, F.S.; deleting provisions relating to legislative findings and intent; defining terms and revising definitions; creating ss. 163.081 and 163.082, F.S.; allowing a program administrator to offer a program for financing qualifying improvements for residential or commercial property when authorized by a county or municipality; requiring an authorized program adminis-

trator that administers an authorized program to meet certain requirements; authorizing a county or municipality to enter into an interlocal agreement to implement a program; authorizing a program administrator to contract with third-party administrators to implement the program; authorizing a program administrator to levy non-ad valorem assessments for a certain purpose; providing for compensation for tax collectors for actual costs incurred to collect non-ad valorem assessments; authorizing a program administrator to incur debt for the purpose of providing financing for qualifying improvements; authorizing the owner of the residential property or commercial property or certain nongovernmental lessees to apply to the program administrator to finance a qualifying improvement; requiring the program administrator to make certain findings before entering into a financing agreement; requiring the program administrator to ascertain certain financial information from the property owner or nongovernmental lessee before entering into a financing agreement; requiring certain documentation; requiring an advisement and notification for certain qualifying improvements; requiring certain financing agreement and contract provisions for change orders under certain circumstances; prohibiting a financing agreement from being entered into under certain circumstances; requiring the program administrator to provide certain information before a financing agreement may be approved; requiring an oral, recorded telephone call with the residential property owner to confirm findings and disclosures before the approval of a financing agreement; requiring the residential property owner to provide written notice to the holder or loan servicer of his or her intent to enter into a financing agreement as well as other financial information; requiring that proof of such notice be provided to the program administrator; providing that a certain acceleration provision in an agreement between the residential property owner and mortgagor or lienholder is unenforceable; providing that the lienholder or loan servicer retains certain authority; requiring the program administrator to receive the written consent of certain lienholders on commercial property; authorizing a residential property owner, under certain circumstances and within a certain timeframe, to cancel a financing agreement without financial penalty; requiring recording of the financing agreement in a specified timeframe; creating the seller's disclosure statements for properties offered for sale which have assessments on them for qualifying improvements; requiring the program administrator to confirm that certain conditions are met before disbursing final funds to a qualifying improvement contractor for qualifying improvements on residential property; requiring a program administrator to submit a certain certificate to a county or municipality upon final disbursement and completion of qualifying improvements on commercial property; providing construction; creating s. 163.083, F.S.; requiring a county or municipality to establish or approve a process for the registration of a qualifying improvement contractor to install qualifying improvements; requiring certain conditions for a qualifying improvement contractor to participate in a program; prohibiting a third-party administrator from registering as a qualifying improvement contractor; requiring the program administrator to monitor qualifying improvement contractors, enforce certain penalties for a finding of violation, and post certain information online; creating s. 163.084, F.S.; authorizing the program administrator to contract with entities to administer an authorized program; providing certain requirements for a third-party administrator; prohibiting a program administrator from contracting with a third-party administrator under certain circumstances; requiring the program administrator to include in its contract with the third-party administrator the right to perform annual reviews of the administrator; authorizing the program administrator to take certain actions if the program administrator finds that the third-party administrator has committed a violation of its contract; authorizing a program administrator to terminate an agreement with a third-party administrator under certain circumstances; providing for the continuation of certain financing agreements after the termination or suspension of the third-party administrator; creating s. 163.085, F.S.; requiring that, in communicating with the property owner or nongovernmental lessee, the program administrator, qualifying improvement contractor, or third-party administrator comply with certain requirements; prohibiting the program administrator or third-party administrator from disclosing certain financing information to a qualifying improvement contractor; prohibiting a qualifying improvement contractor from making certain advertisements or solicitations; providing exceptions; prohibiting a program administrator or third-party administrator from providing certain payments, fees, or kickbacks to a qualifying improvement contractor; prohibiting a program administrator or third-party administrator to reimbursing a qualifying improvement contractor for certain

expenses; prohibiting a qualifying improvement contractor from providing different prices for a qualifying improvement; requiring a contract between a property owner or nongovernmental lessee and a qualifying improvement contractor to include certain provisions; prohibiting a program administrator, qualifying improvement contractor, or third-party administrator from providing any cash payment or anything of material value to a property owner or nongovernmental lessee which is explicitly conditioned on a financing agreement; providing exceptions; creating s. 163.086, F.S.; prohibiting a recorded financing agreement from being removed from attachment to a property under certain circumstances; providing for the unenforceability of a financing agreement under certain circumstances; providing provisions for when a qualifying improvement contractor initiates work on an unenforceable contract; providing that a qualifying improvement contractor may retrieve chattel or fixtures delivered pursuant to an unenforceable contract if certain conditions are met; providing that an unenforceable contract will remain unenforceable under certain circumstances; creating s. 163.087, F.S.; requiring a program administrator authorized to administer a program for financing a qualifying improvement to post on its website an annual report; specifying requirements for the report; requiring the Auditor General to conduct an operational audit of each authorized program; providing an effective date.

—was read the second time by title.

Senator Martin moved the following amendment which was adopted:

Amendment 1 (133022) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 163.08, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 163.08, F.S., for present text.)

163.08 Definitions.—As used in ss. 163.081-163.087, the term:

(1) “Commercial property” means real property other than residential property. The term includes, but is not limited to, a property zoned multifamily residential which is composed of five or more dwelling units; and real property used for commercial, industrial, or agricultural purposes.

(2) “Program administrator” means a county, a municipality, a dependent special district as defined in s. 189.012, or a separate legal entity created pursuant to s. 163.01(7) which directly operates a program for financing qualifying improvements and is authorized pursuant to s. 163.081 or s. 163.082.

(3) “Property owner” means the owner or owners of record of real property. The term includes real property held in trust for the benefit of one or more individuals, in which case the individual or individuals may be considered as the property owner or owners, provided that the trustee provides written consent. The term does not include persons renting, using, living, or otherwise occupying real property.

(4) “Qualifying improvement” means the following permanent improvements located on real property within the jurisdiction of an authorized financing program:

(a) For improvements on residential property:

1. Repairing, replacing, or improving a central sewerage system, converting an onsite sewage treatment and disposal system to a central sewerage system, or, if no central sewerage system is available, removing, repairing, replacing, or improving an onsite sewage treatment and disposal system to an advanced system or technology.

2. Repairing, replacing, or improving a roof, including improvements that strengthen the roof deck attachment; create a secondary water barrier to prevent water intrusion; install wind-resistant shingles or gable-end bracing; or reinforce roof-to-wall connections.

3. Providing flood and water damage mitigation and resiliency improvements, prioritizing repairs, replacement, or improvements that qualify for reductions in flood insurance premiums, including raising a structure above the base flood elevation to reduce flood damage; constructing a flood diversion apparatus, drainage gate, or seawall improvement, including seawall repairs and seawall replacements; pur-

chasing flood-damage-resistant building materials; or making electrical, mechanical, plumbing, or other system improvements that reduce flood damage.

4. Replacing windows or doors, including garage doors, with energy-efficient, impact-resistant, wind-resistant, or hurricane windows or doors or installing storm shutters.

5. Installing energy-efficient heating, cooling, or ventilation systems.

6. Replacing or installing insulation.

7. Replacing or installing energy-efficient water heaters.

8. Installing and affixing a permanent generator.

9. Providing a renewable energy improvement, including the installation of any system in which the electrical, mechanical, or thermal energy is produced from a method that uses solar, geothermal, bioenergy, wind, or hydrogen.

(b) For installing or constructing improvements on commercial property:

1. Waste system improvements, which consists of repairing, replacing, improving, or constructing a central sewerage system, converting an onsite sewage treatment and disposal system to a central sewerage system, or, if no central sewerage system is available, removing, repairing, replacing, or improving an onsite sewage treatment and disposal system to an advanced system or technology.

2. Making resiliency improvements, which includes but is not limited to:

a. Repairing, replacing, improving, or constructing a roof, including improvements that strengthen the roof deck attachment;

b. Creating a secondary water barrier to prevent water intrusion;

c. Installing wind-resistant shingles or gable-end bracing;

d. Reinforcing roof-to-wall connections; or

e. Providing flood and water damage mitigation and resiliency improvements, prioritizing repairs, replacement, or improvements that qualify for reductions in flood insurance premiums, including raising a structure above the base flood elevation to reduce flood damage; creating or improving stormwater and flood resiliency, including flood diversion apparatus, drainage gates, or shoreline improvements; purchasing flood-damage-resistant building materials; or making any other improvements necessary to achieve a sustainable building rating or compliance with a national model resiliency standard and any improvements to a structure to achieve wind or flood insurance rate reductions, including building elevation.

3. Energy conservation and efficiency improvements, which are measures to reduce consumption through efficient use or conservation of electricity, natural gas, propane, or other forms of energy, including but not limited to, air sealing; installation of insulation; installation of energy-efficient heating, cooling, or ventilation systems; building modification to increase the use of daylight; window replacement; windows; energy controls or energy recovery systems; installation of electric vehicle charging equipment; installation of efficient lighting equipment; or any other improvements necessary to achieve a sustainable building rating or compliance with a national model green building code.

4. Renewable energy improvements, including the installation of any system in which the electrical, mechanical, or thermal energy is produced from a method that uses solar, geothermal, bioenergy, wind, or hydrogen.

5. Water conservation efficiency improvements, which are measures to reduce consumption through efficient use or conservation of water.

(5) “Qualifying improvement contractor” means a licensed or registered contractor who has been registered to participate by a program administrator pursuant to s. 163.083 to install or otherwise perform work to make qualifying improvements on residential property financed pursuant to a program authorized under s. 163.081.

(6) “Residential property” means real property zoned as residential or multifamily residential and composed of four or fewer dwelling units.

(7) “Third-party administrator” means an entity under contract with a program administrator pursuant to s. 163.084.

Section 2. Section 163.081, Florida Statutes, is created to read:

163.081 *Financing qualifying improvements to residential property.*—

(1) **RESIDENTIAL PROPERTY PROGRAM AUTHORIZATION.**—

(a) A program administrator may only offer a program for financing qualifying improvements to residential property within the jurisdiction of a county or municipality if the county or municipality has authorized by ordinance or resolution the program administrator to administer the program for financing qualifying improvements to residential property. The authorized program must, at a minimum, meet the requirements of this section.

(b) Pursuant to this section or as otherwise provided by law or pursuant to a county’s or municipality’s home rule power, a county or municipality may enter into an interlocal agreement providing for a partnership between one or more counties or municipalities for the purpose of facilitating a program to finance qualifying improvements to residential property located within the jurisdiction of the counties or municipalities that are party to the agreement.

(c) A county or municipality may deauthorize a program administrator through repeal of the ordinance or resolution adopted pursuant to paragraph (a) or other action. Any recorded financing agreements at the time of deauthorization shall continue, except any financing agreement for which the provisions of s. 163.086 apply.

(d) An authorized program administrator may contract with one or more third-party administrators to implement the program as provided in s. 163.084.

(e) An authorized program administrator may levy non-ad valorem assessments to facilitate repayment of financing qualifying improvements. Costs incurred by the program administrator for such purpose may be collected as a non-ad valorem assessment. A non-ad valorem assessment shall be collected pursuant to s. 197.3632 and, notwithstanding s. 197.3632(8)(a), shall not be subject to discount for early payment. However, the notice and adoption requirements of s. 197.3632(4) do not apply if this section is used and complied with, and the intent resolution, publication of notice, and mailed notices to the property appraiser, tax collector, and Department of Revenue required by s. 197.3632(3)(a) may be provided on or before August 15 of each year in conjunction with any non-ad valorem assessment authorized by this section, if the property appraiser, tax collector, and program administrator agree. The program administrator shall only compensate the tax collector for the actual cost of collecting non-ad valorem assessments, not to exceed 2 percent of the amount collected and remitted.

(f) A program administrator may incur debt for the purpose of providing financing for qualifying improvements, which debt is payable from revenues received from the improved property or any other available revenue source authorized by law.

(2) **APPLICATION.**—The owner of record of the residential property within the jurisdiction of an authorized program may apply to the authorized program administrator to finance a qualifying improvement. The program administrator may only enter into a financing agreement with the property owner.

(3) **FINANCING AGREEMENTS.**—

(a) Before entering into a financing agreement, the program administrator must make each of the following findings based on a review of public records derived from a commercially accepted source and the property owner’s statements, records, and credit reports:

1. There are sufficient resources to complete the project.

2. The total amount of any non-ad valorem assessment for a residential property under this section does not exceed 20 percent of the just value of the property as determined by the property appraiser. The total

amount may exceed this limitation upon written consent of the holders or loan servicers of any mortgage encumbering or otherwise secured by the residential property.

3. The combined mortgage-related debt and total amount of any non-ad valorem assessments under the program for the residential property does not exceed 97 percent of the just value of the property as determined by the property appraiser.

4. The financing agreement does not utilize a negative amortization schedule, a balloon payment, or prepayment fees or fines other than nominal administrative costs. Capitalized interest included in the original balance of the assessment financing agreement does not constitute negative amortization.

5. All property taxes and any other assessments, including non-ad valorem assessments, levied on the same bill as the property taxes are current and have not been delinquent for the preceding 3 years, or the property owner’s period of ownership, whichever is less.

6. There are no outstanding fines or fees related to zoning or code enforcement violations issued by a county or municipality, unless the qualifying improvement will remedy the zoning or code violation.

7. There are no involuntary liens, including, but not limited to, construction liens on the residential property.

8. No notices of default or other evidence of property-based debt delinquency have been recorded and not released during the preceding 3 years or the property owner’s period of ownership, whichever is less.

9. The property owner is current on all mortgage debt on the residential property.

10. The property owner has not been subject to a bankruptcy proceeding within the last 5 years unless it was discharged or dismissed more than 2 years before the date on which the property owner applied for financing.

11. The residential property is not subject to an existing home equity conversion mortgage or reverse mortgage product.

12. The term of the financing agreement does not exceed the weighted average useful life of the qualified improvements to which the greatest portion of funds disbursed under the assessment contract is attributable, not to exceed 20 years. The program administrator shall determine the useful life of a qualifying improvement using established standards, including certification criteria from government agencies or nationally recognized standards and testing organizations.

13. The total estimated annual payment amount for all financing agreements entered into under this section on the residential property does not exceed 10 percent of the property owner’s annual household income. Income must be confirmed using reasonable evidence and not solely by a property owner’s statement.

14. If the qualifying improvement is for the conversion of an onsite sewage treatment and disposal system to a central sewerage system, the property owner has utilized all available local government funding for such conversions and is unable to obtain financing for the improvement on more favorable terms through a local government program designed to support such conversions.

(b) Before entering into a financing agreement, the program administrator must determine if there are any current financing agreements on the residential property and if the property owner has obtained or sought to obtain additional qualifying improvements on the same property which have not yet been recorded. The existence of a prior qualifying improvement non-ad valorem assessment or a prior financing agreement is not evidence that the financing agreement under consideration is affordable or meets other program requirements.

(c) Findings satisfying paragraphs (a) and (b) must be documented, including supporting evidence relied upon, and provided to the property owner prior to a financing agreement being approved and recorded. The program administrator must retain the documentation for the duration of the financing agreement.

(d) If the qualifying improvement is estimated to cost \$10,000 or more, before entering into a financing agreement the program administrator must advise the property owner in writing that the best practice is to obtain estimates from more than one unaffiliated, registered qualifying improvement contractor for the qualifying improvement and notify the property owner in writing of the advertising and solicitation requirements of s. 163.085.

(e) A property owner and the program administrator may agree to include in the financing agreement provisions for allowing change orders necessary to complete the qualifying improvement. Any financing agreement or contract for qualifying improvements which includes such provisions must meet the requirements of this paragraph. If a proposed change order on a qualifying improvement will increase the original cost of the qualifying improvement by 20 percent or more or will expand the scope of the qualifying improvement by more than 20 percent, before the change order may be executed which would result in an increase in the amount financed through the program administrator for the qualifying improvement, the program administrator must notify the property owner, provide an updated written disclosure form as described in subsection (4) to the property owner, and obtain written approval of the change from the property owner.

(f) A financing agreement may not be entered into if the total cost of the qualifying improvement, including program fees and interest, is less than \$2,500.

(g) A financing agreement may not be entered into for qualifying improvements in buildings or facilities under new construction or construction for which a certificate of occupancy or similar evidence of substantial completion of new construction or improvement has not been issued.

(4) DISCLOSURES.—

(a) In addition to the requirements imposed in subsection (3), a financing agreement may not be executed unless the program administrator first provides, including via electronic means, a written financing estimate and disclosure to the property owner which includes all of the following, each of which must be individually acknowledged in writing by the property owner:

1. The estimated total amount to be financed, including the total and itemized cost of the qualifying improvement, program fees, and capitalized interest;
2. The estimated annual non-ad valorem assessment;
3. The term of the financing agreement and the schedule for the non-ad valorem assessments;
4. The interest charged and estimated annual percentage rate;
5. A description of the qualifying improvement;
6. The total estimated annual costs that will be required to be paid under the assessment contract, including program fees;
7. The total estimated average monthly equivalent amount of funds that would need to be saved in order to pay the annual costs of the non-ad valorem assessment, including program fees;
8. The estimated due date of the first payment that includes the non-ad valorem assessment;
9. A disclosure that the financing agreement may be canceled within 3 business days after signing the financing agreement without any financial penalty for doing so;
10. A disclosure that the property owner may repay any remaining amount owed, at any time, without penalty or imposition of additional prepayment fees or fines other than nominal administrative costs;
11. A disclosure that if the property owner sells or refinances the residential property, the property owner may be required by a mortgage lender to pay off the full amount owed under each financing agreement under this section;

12. A disclosure that the assessment will be collected along with the property owner's property taxes, and will result in a lien on the property from the date the financing agreement is recorded;

13. A disclosure that potential utility or insurance savings are not guaranteed, and will not reduce the assessment amount; and

14. A disclosure that failure to pay the assessment may result in penalties, fees, including attorney fees, court costs, and the issuance of a tax certificate that could result in the property owner losing the property and a judgment against the property owner, and may affect the property owner's credit rating.

(b) Prior to the financing agreement being approved, the program administrator must conduct an oral, recorded telephone call with the property owner during which the program administrator must confirm each finding or disclosure required in subsection (3) and this section.

(5) NOTICE TO LIENHOLDERS AND SERVICERS.—At least 5 business days before entering into a financing agreement, the property owner must provide to the holders or loan servicers of any existing mortgages encumbering or otherwise secured by the residential property a written notice of the owner's intent to enter into a financing agreement together with the maximum amount to be financed, including the amount of any fees and interest, and the maximum annual assessment necessary to repay the total. A verified copy or other proof of such notice must be provided to the program administrator. A provision in any agreement between a mortgagor or other lienholder and a property owner, or otherwise now or hereafter binding upon a property owner, which allows for acceleration of payment of the mortgage, note, or lien or other unilateral modification solely as a result of entering into a financing agreement as provided for in this section is unenforceable. This subsection does not limit the authority of the holder or loan servicer to increase the required monthly escrow by an amount necessary to pay the annual assessment.

(6) CANCELLATION.—A property owner may cancel a financing agreement on a form established by the program administrator within 3 business days after signing the financing agreement without any financial penalty for doing so.

(7) RECORDING.—Any financing agreement executed pursuant to this section, or a summary memorandum of such agreement, shall be submitted for recording in the public records of the county within which the residential property is located by the program administrator within 10 business days after execution of the agreement and the 3-day cancellation period. The recorded agreement must provide constructive notice that the non-ad valorem assessment to be levied on the property constitutes a lien of equal dignity to county taxes and assessments from the date of recordation. A notice of lien for the full amount of the financing may be recorded in the public records of the county where the property is located. Such lien is not enforceable in a manner that results in the acceleration of the remaining nondelinquent unpaid balance under the assessment financing agreement.

(8) SALE OF RESIDENTIAL PROPERTY.—At or before the time a seller executes a contract for the sale of any residential property for which a non-ad valorem assessment has been levied under this section and has an unpaid balance due, the seller shall give the prospective purchaser a written disclosure statement in the following form, which must be set forth in the contract or in a separate writing:

QUALIFYING IMPROVEMENTS.—The property being purchased is subject to an assessment on the property pursuant to s. 163.081, Florida Statutes. The assessment is for a qualifying improvement to the property and is not based on the value of the property. You are encouraged to contact the property appraiser's office to learn more about this and other assessments that may be provided by law.

(9) DISBURSEMENTS.—Before disbursing final funds to a qualifying improvement contractor for a qualifying improvement on residential property, the program administrator shall confirm that the applicable work or service has been completed or, as applicable, that the final permit for the qualifying improvement has been closed with all permit requirements satisfied or a certificate of occupancy or similar evidence of substantial completion of construction or improvement has been issued.

(10) *CONSTRUCTION.*—This section is additional and supplemental to county and municipal home rule authority and not in derogation of such authority or a limitation upon such authority.

Section 3. Section 163.082, Florida Statutes, is created to read:

163.082 *Financing qualifying improvements to commercial property.*—

(1) *COMMERCIAL PROPERTY PROGRAM AUTHORIZATION.*—

(a) A program administrator may only offer a program for financing qualifying improvements to commercial property within the jurisdiction of a county or municipality if the county or municipality has authorized by ordinance or resolution the program administrator to administer the program for financing qualifying improvements to commercial property. The authorized program must, at a minimum, meet the requirements of this section.

(b) Pursuant to this section or as otherwise provided by law or pursuant to a county's or municipality's home rule power, a county or municipality may enter into an interlocal agreement providing for a partnership between one or more counties or municipalities for the purpose of facilitating a program for financing qualifying improvements to commercial property located within the jurisdiction of the counties or municipalities that are party to the agreement.

(c) A county or municipality may deauthorize a program administrator through repeal of the ordinance or resolution adopted pursuant to paragraph (a) or other action. Any recorded financing agreements at the time of deauthorization shall continue, except any financing agreement for which the provisions of s. 163.086 apply.

(d) A program administrator may contract with one or more third-party administrators to implement the program as provided in s. 163.084.

(e) An authorized program administrator may levy non-ad valorem assessments to facilitate repayment of financing or refinancing qualifying improvements. Costs incurred by the program administrator for such purpose may be collected as a non-ad valorem assessment. A non-ad valorem assessment shall be collected pursuant to s. 197.3632 and, notwithstanding s. 197.3632(8)(a), is not subject to discount for early payment. However, the notice and adoption requirements of s. 197.3632(4) do not apply if this section is used and complied with, and the intent resolution, publication of notice, and mailed notices to the property appraiser, tax collector, and Department of Revenue required by s. 197.3632(3)(a) may be provided on or before August 15 of each year in conjunction with any non-ad valorem assessment authorized by this section, if the property appraiser, tax collector, and program administrator agree. The program administrator shall only compensate the tax collector for the actual cost of collecting non-ad valorem assessments, not to exceed 2 percent of the amount collected and remitted.

(f) A program administrator may incur debt for the purpose of providing financing for qualifying improvements, which debt is payable from revenues received from the improved property or any other available revenue source authorized by law.

(2) *APPLICATION.*—The owner of record of the commercial property within the jurisdiction of the authorized program may apply to the program administrator to finance a qualifying improvement and enter into a financing agreement with the program administrator to make such improvement. The program administrator may only enter into a financing agreement with a property owner.

(3) *CONSENT OF LIENHOLDERS AND SERVICERS.*—The program administrator must receive the written consent of the current holders or loan servicers of any mortgage that encumbers or is otherwise secured by the commercial property or that will otherwise be secured by the property before a financing agreement may be executed.

(4) *FINANCING AGREEMENTS.*—

(a) A program administrator offering a program for financing qualifying improvements to commercial property must maintain underwriting criteria sufficient to determine the financial feasibility of entering into a financing agreement. To enter into a financing agreement, the program administrator must, at a minimum, make each of the following

findings based on a review of public records derived from a commercially accepted source and the statements, records, and credit reports of the commercial property owner:

1. There are sufficient resources to complete the project.
2. The combined mortgage-related debt and total amount of any non-ad valorem assessments under the program for the commercial property does not exceed 97 percent of the just value of the property as determined by the property appraiser.
3. All property taxes and any other assessments, including non-ad valorem assessments, levied on the same bill as the property taxes are current.
4. There are no involuntary liens greater than \$5,000, including, but not limited to, construction liens on the commercial property.
5. No notices of default or other evidence of property-based debt delinquency have been recorded and not been released during the preceding 3 years or the property owner's period of ownership, whichever is less.
6. The property owner is current on all mortgage debt on the commercial property.
7. The term of the financing agreement does not exceed the weighted average useful life of the qualified improvements to which the greatest portion of funds disbursed under the assessment contract is attributable, not to exceed 30 years. The program administrator shall determine the useful life of a qualifying improvement using established standards, including certification criteria from government agencies or nationally recognized standards and testing organizations.
8. The property owner is not currently the subject of a bankruptcy proceeding.

(b) Before entering into a financing agreement, the program administrator shall determine if there are any current financing agreements on the commercial property and whether the property owner has obtained or sought to obtain additional qualifying improvements on the same property which have not yet been recorded. The existence of a prior qualifying improvement non-ad valorem assessment or a prior financing agreement is not evidence that the financing agreement under consideration is affordable or meets other program requirements.

(c) The program administrator shall document and retain findings satisfying paragraphs (a) and (b), including supporting evidence relied upon, which were made prior to the financing agreement being approved and recorded, for the duration of the financing agreement.

(d) A property owner and the program administrator may agree to include in the financing agreement provisions for allowing change orders necessary to complete the qualifying improvement. Any financing agreement or contract for qualifying improvements which includes such provisions must meet the requirements of this paragraph. If a proposed change order on a qualifying improvement will increase the original cost of the qualifying improvement by 20 percent or more or will expand the scope of the qualifying improvement by 20 percent or more, before the change order may be executed which would result in an increase in the amount financed through the program administrator for the qualifying improvement, the program administrator must notify the property owner, provide an updated written disclosure form as described in subsection (5) to the property owner, and obtain written approval of the change from the property owner.

(e) A financing agreement may not be entered into if the total cost of the qualifying improvement, including program fees and interest, is less than \$2,500.

(5) *DISCLOSURES.*—In addition to the requirements imposed in subsection (4), a financing agreement may not be executed unless the program administrator provides, whether on a separate document or included with other disclosures or forms, a financing estimate and disclosure to the property owner which includes all of the following:

(a) The estimated total amount to be financed, including the total and itemized cost of the qualifying improvement, program fees, and capitalized interest;

- (b) *The estimated annual non-ad valorem assessment;*
- (c) *The term of the financing agreement and the schedule for the non-ad valorem assessments;*
- (d) *The interest charged and estimated annual percentage rate;*
- (e) *A description of the qualifying improvement;*
- (f) *The total estimated annual costs that will be required to be paid under the assessment contract, including program fees;*
- (g) *The estimated due date of the first payment that includes the non-ad valorem assessment; and*
- (h) *A disclosure of any prepayment penalties, fees, or fines as set forth in the financing agreement.*

(6) **RECORDING.**—*Any financing agreement executed pursuant to this section or a summary memorandum of such agreement must be submitted for recording in the public records of the county within which the commercial property is located by the program administrator within 10 business days after execution of the agreement. The recorded agreement must provide constructive notice that the non-ad valorem assessment to be levied on the property constitutes a lien of equal dignity to county taxes and assessments from the date of recordation. A notice of lien for the full amount of the financing may be recorded in the public records of the county where the property is located. Such lien is not enforceable in a manner that results in the acceleration of the remaining nondelinquent unpaid balance under the assessment financing agreement.*

(7) **SALE OF COMMERCIAL PROPERTY.**—*At or before the time a seller executes a contract for the sale of any commercial property for which a non-ad valorem assessment has been levied under this section and has an unpaid balance due, the seller shall give the prospective purchaser a written disclosure statement in the following form, which must be set forth in the contract or in a separate writing:*

QUALIFYING IMPROVEMENTS.—*The property being purchased is subject to an assessment on the property pursuant to s. 163.082, Florida Statutes. The assessment is for a qualifying improvement to the property and is not based on the value of the property. You are encouraged to contact the property appraiser's office to learn more about this and other assessments that may be provided for by law.*

(8) **COMPLETION CERTIFICATE.**—*Upon disbursement of all financing and completion of installation of qualifying improvements financed, the program administrator shall retain a certificate that the qualifying improvements have been installed and are in good working order.*

(9) **CONSTRUCTION.**—*This section is additional and supplemental to county and municipal home rule authority and not in derogation of such authority or a limitation upon such authority.*

Section 4. Section 163.083, Florida Statutes, is created to read:

163.083 **Qualifying improvement contractors.**—

(1) *A county or municipality shall establish a process, or approve a process established by a program administrator, to register contractors for participation in a program authorized by a county or municipality pursuant to s. 163.081. A qualifying improvement contractor may only perform such work that the contractor is appropriately licensed, registered, and permitted to conduct. At the time of application to participate and during participation in the program, contractors must:*

(a) *Hold all necessary licenses or registrations for the work to be performed which are in good standing. Good standing includes no outstanding complaints with the state or local government which issues such licenses or registrations.*

(b) *Comply with all applicable federal, state, and local laws and regulations, including obtaining and maintaining any other permits, licenses, or registrations required for engaging in business in the jurisdiction in which it operates and maintaining all state-required bond and insurance coverage.*

(c) *File with the program administrator a written statement in a form approved by the county or municipality that the contractor will comply with applicable laws and rules and qualifying improvement program policies and procedures, including those on advertising and marketing.*

(2) *A third-party administrator or a program administrator, either directly or through an affiliate, may not be registered as a qualifying improvement contractor.*

(3) *A program administrator shall establish and maintain:*

(a) *A process to monitor qualifying improvement contractors for performance and compliance with requirements of the program and must conduct regular reviews of qualifying improvement contractors to confirm that each qualifying improvement contractor is in good standing.*

(b) *Procedures for notice and imposition of penalties upon a finding of violation, which may consist of placement of the qualifying improvement contractor in a probationary status that places conditions for continued participation, suspension, or termination from participation in the program.*

(c) *An easily accessible page on its website that provides information on the status of registered qualifying improvement contractors, including any imposed penalties, and the names of any qualifying improvement contractors currently on probationary status or that are suspended or terminated from participation in the program.*

Section 5. Section 163.084, Florida Statutes, is created to read:

163.084 **Third-party administrator for financing qualifying improvements programs.**—

(1)(a) *A program administrator may contract with one or more third-party administrators to administer a program authorized by a county or municipality pursuant to s. 163.081 or s. 163.082 on behalf of and at the discretion of the program administrator.*

(b) *The third-party administrator must be independent of the program administrator and have no conflicts of interest between managers or owners of the third-party administrator and program administrator managers, owners, officials, or employees with oversight over the contract. A program administrator, either directly or through an affiliate, may not act as a third-party administrator for itself or for another program administrator. However, this paragraph does not apply to a third-party administrator created by an entity authorized in law pursuant to s. 288.9604.*

(c) *The contract must provide for the entity to administer the program according to the requirements of s. 163.081 or s. 163.082 and the ordinance or resolution adopted by the county or municipality authorizing the program. However, only the program administrator may levy or administer non-ad valorem assessments.*

(2) *A program administrator may not contract with a third-party administrator that, within the last 3 years, has been:*

(a) *Prohibited, after notice and a hearing, from serving as a third-party administrator for another program administrator for program or contract violations in this state; or*

(b) *Found by a court of competent jurisdiction to have substantially violated state or federal laws related to the administration of ss. 163.081-163.086 or a similar program in another jurisdiction.*

(3) *The program administrator must include in any contract with the third-party administrator the right to perform annual reviews of the administrator to confirm compliance with ss. 163.081-163.086, the ordinance or resolution adopted by the county or municipality, and the contract with the program administrator. If the program administrator finds that the third-party administrator has committed a violation of ss. 163.081-163.086, the adopted ordinance or resolution, or the contract with the program administrator, the program administrator shall provide the third-party administrator with notice of the violation and may, as set forth in the adopted ordinance or resolution or the contract with the third-party administrator:*

(a) Place the third-party administrator in a probationary status that places conditions for continued operations.

(b) Impose any fines or sanctions.

(c) Suspend the activity of the third-party administrator for a period of time.

(d) Terminate the agreement with the third-party administrator.

(4) A program administrator may terminate the agreement with a third-party administrator, as set forth by the county or municipality in its adopted ordinance or resolution or the contract with the third-party administrator, if the program administrator makes a finding that:

(a) The third-party administrator has violated the contract with the program administrator. The contract may set forth substantial violations that may result in contract termination and other violations that may provide for a period of time for correction before the contract may be terminated.

(b) The third-party administrator, or an officer, a director, a manager or a managing member, or a control person of the third-party administrator, has been found by a court of competent jurisdiction to have violated state or federal laws related to the administration of a program authorized of the provisions of ss. 163.081-163.086 or a similar program in another jurisdiction within the last 5 years.

(c) Any officer, director, manager or managing member, or control person of the third-party administrator has been convicted of, or has entered a plea of guilty or nolo contendere to, regardless of whether adjudication has been withheld, a crime related to administration of a program authorized of the provisions of ss. 163.081-163.086 or a similar program in another jurisdiction within the last 10 years.

(d) An annual performance review reveals a substantial violation or a pattern of violations by the third-party administrator.

(5) Any recorded financing agreements at the time of termination or suspension by the program administrator shall continue, except any financing agreement for which the provisions of s. 163.086 apply.

Section 6. Section 163.085, Florida Statutes, is created to read:

163.085 Advertisement and solicitation for financing qualifying improvements programs under s. 163.081 or s. 163.082.—

(1) When communicating with a property owner, a program administrator, qualifying improvement contractor, or third-party administrator may not:

(a) Suggest or imply:

1. That a non-ad valorem assessment authorized under s. 163.081 or s. 163.082 is a government assistance program;

2. That qualifying improvements are free or provided at no cost, or that the financing related to a non-ad valorem assessment authorized under s. 163.081 or s. 163.082 is free or provided at no cost; or

3. That the financing of a qualifying improvement using the program authorized pursuant to s. 163.081 or s. 163.082 does not require repayment of the financial obligation.

(b) Make any representation as to the tax deductibility of a non-ad valorem assessment. A program administrator, qualifying improvement contractor, or third-party administrator may encourage a property owner to seek the advice of a tax professional regarding tax matters related to assessments.

(2) A program administrator or third-party administrator may not provide to a qualifying improvement contractor any information that discloses the amount of financing for which a property owner is eligible for qualifying improvements or the amount of equity in a residential property or commercial property.

(3) A qualifying improvement contractor may not advertise the availability of financing agreements for, or solicit program participation on behalf of, the program administrator unless the contractor is regis-

tered by the program administrator to participate in the program and is in good standing with the program administrator.

(4) A program administrator or third-party administrator may not provide any payment, fee, or kickback to a qualifying improvement contractor for referring property owners to the program administrator or third-party administrator. However, a program administrator or third-party administrator may provide information to a qualifying improvement contractor to facilitate the installation of a qualifying improvement for a property owner.

(5) A program administrator or third-party administrator may not reimburse a qualifying improvement contractor for its expenses in advertising and marketing campaigns and materials.

(6) A qualifying improvement contractor may not provide a different price for a qualifying improvement financed under s. 163.081 than the price that the qualifying improvement contractor would otherwise provide if the qualifying improvement was not being financed through a financing agreement. Any contract between a property owner and a qualifying improvement contractor must clearly state all pricing and cost provisions, including any process for change orders which meet the requirements of s. 163.081(3)(d).

(7) A program administrator, qualifying improvement contractor, or third-party administrator may not provide any direct cash payment or other thing of material value to a property owner which is explicitly conditioned upon the property owner entering into a financing agreement. However, a program administrator or third-party administrator may offer programs or promotions on a non-discriminatory basis that provide reduced fees or interest rates if the reduced fees or interest rates are reflected in the financing agreements and are not provided to the property owner as cash consideration.

Section 7. Section 163.086, Florida Statutes, is created to read:

163.086 Unenforceable financing agreements for qualifying improvements programs under s. 163.081 or s. 163.082; attachment; fraud.—

(1) A recorded financing agreement may not be removed from attachment to a residential property or commercial property if the property owner fraudulently obtained funding pursuant to s. 163.081 or s. 163.082.

(2) A financing agreement may not be enforced, and a recorded financing agreement may be removed from attachment to a residential property or commercial property and deemed null and void, if:

(a) The property owner applied for, accepted, and canceled a financing agreement within the 3-business-day period pursuant to s. 163.081(6). A qualifying improvement contractor may not begin work under a canceled contract.

(b) A person other than the property owner obtained the recorded financing agreement. The court may enter an order which holds that person or persons personally liable for the debt.

(c) The program administrator, third-party administrator, or qualifying improvement contractor approved or obtained funding through fraudulent means and in violation of ss. 163.081-163.085, or this section for qualifying improvements on the residential property or commercial property.

(3) If a qualifying improvement contractor has initiated work on residential property or commercial property under a contract deemed unenforceable under this section, the qualifying improvement contractor:

(a) May not receive compensation for that work under the financing agreement.

(b) Must restore the residential property or commercial property to its original condition at no cost to the property owner.

(c) Must immediately return any funds, property, and other consideration given by the property owner. If the property owner provided any property and the qualifying improvement contractor does not or cannot return it, the qualifying improvement contractor must im-

mediately return the fair market value of the property or its value as designated in the contract, whichever is greater.

(4) *If the qualifying improvement contractor has delivered chattel or fixtures to residential property or commercial property pursuant to a contract deemed unenforceable under this section, the qualifying improvement contractor has 90 days after the date on which the contract was executed to retrieve the chattel or fixtures, provided that:*

(a) *The qualifying improvement contractor has fulfilled the requirements of paragraphs (3)(a) and (b).*

(b) *The chattel and fixtures can be removed at the qualifying improvement contractor's expense without damaging the residential property or commercial property.*

(5) *If a qualifying improvement contractor fails to comply with this section, the property owner may retain any chattel or fixtures provided pursuant to a contract deemed unenforceable under this section.*

(6) *A contract that is otherwise unenforceable under this section remains enforceable if the property owner waives his or her right to cancel the contract or cancels the financing agreement pursuant to s. 163.081(6) or s. 163.082(6) but allows the qualifying improvement contractor to proceed with the installation of the qualifying improvement.*

Section 8. Section 163.087, Florida Statutes, is created to read:

163.087 Reporting for financing qualifying improvements programs under s. 163.081 or s. 163.082.—

(1) Each program administrator that is authorized to administer a program for financing qualifying improvements to residential property or commercial property under s. 163.081 or s. 163.082 shall post on its website an annual report within 45 days after the end of its fiscal year containing the following information from the previous year for each program authorized under s. 163.081 or s. 163.082:

(a) *The number and types of qualifying improvements funded.*

(b) *The aggregate, average, and median dollar amounts of annual non-ad valorem assessments and the total number of non-ad valorem assessments collected pursuant to financing agreements for qualifying improvements.*

(c) *The total number of defaulted non-ad valorem assessments, including the total defaulted amount, the number and dates of missed payments, and the total number of parcels in default and the length of time in default.*

(d) *A summary of all reported complaints received by the program administrator related to the program, including the names of the third-party administrator, if applicable, and qualifying improvement contractors and the resolution of each complaint.*

(2) The Auditor General must conduct an operational audit of each program administrator authorized under s. 163.081 or s. 163.082, including any third-party administrators, for compliance with the provisions of ss. 163.08-163.086 and any adopted ordinance at least once every 3 years. The Auditor General may stagger evaluations; however, every program must be evaluated at least once by September 1, 2028. The Auditor General shall adopt rules pursuant to s. 218.39 requiring each program administrator to report whether it offers a program authorized pursuant to s. 163.081 or s. 163.082, and other pertinent information. Each program administrator and, if applicable, third-party administrator, must post the most recent report on its website.

Section 9. *A current contract, agreement, authorization, or interlocal agreement between a county or municipality and a program administrator entered into before July 1, 2024, shall continue without additional action by the county or municipality. However, the program administrator must comply with this act, and any contract, agreement, authorization, or interlocal agreement must be amended to comply with this act.*

Section 10. This act shall take effect July 1, 2024.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to improvements to real property; amending s. 163.08, F.S.; deleting provisions relating to legislative findings and intent; defining terms and revising definitions; creating s. 163.081, F.S.; authorizing a program administrator to offer a program for financing qualifying improvements for residential property when authorized by a county or municipality; requiring an authorized program administrator that administers an authorized program to meet certain requirements; authorizing a county or municipality to enter into an interlocal agreement to implement a program; authorizing a county or municipality to deauthorize a program administrator through certain measures; allowing a recorded financing agreement at the time of deauthorization to continue, with an exception; authorizing a program administrator to contract with third-party administrators to implement the program; authorizing a program administrator to levy non-ad valorem assessments for a certain purpose; providing for compensation for tax collectors for actual costs incurred to collect non-ad valorem assessments; authorizing a program administrator to incur debt for the purpose of providing financing for qualifying improvements; authorizing the owner of record of the residential property to apply to the program administrator to finance a qualifying improvement; requiring the program administrator to make certain findings before entering into a financing agreement; requiring the program administrator to ascertain certain financial information from the property owner before entering into a financing agreement; requiring certain documentation before the financing agreement is approved and recorded; requiring an advisement and notification for certain qualifying improvements; requiring certain financing agreement and contract provisions for change orders under certain circumstances; prohibiting a financing agreement from being entered into under certain circumstances; requiring the program administrator to provide certain information before a financing agreement may be executed; requiring an oral, recorded telephone call with the residential property owner to confirm findings and disclosures before the approval of a financing agreement; requiring the residential property owner to provide written notice to the holder or loan servicer of his or her intent to enter into a financing agreement as well as other financial information; requiring that proof of such notice be provided to the program administrator; providing that a certain acceleration provision in an agreement between the residential property owner and mortgagor or lienholder is unenforceable; providing that the lienholder or loan servicer retains certain authority; authorizing a residential property owner, under certain circumstances and within a certain timeframe, to cancel a financing agreement without financial penalty; requiring recording of the financing agreement in a specified timeframe; creating the seller's disclosure statements for properties offered for sale which have assessments on them for qualifying improvements; requiring the program administrator to confirm that certain conditions are met before disbursing final funds to a qualifying improvement contractor for qualifying improvements on residential property; requiring a program administrator to confirm that the applicable work service has been completed or the final permit for the qualifying improvement has been closed and evidence of substantial completion of construction or improvement has been issued; creating s. 163.082, F.S.; authorizing a program administrator to offer a program for financing qualifying improvements for commercial property when authorized by a county or municipality; requiring an authorized program administrator that administers an authorized program to meet certain requirements; authorizing a county or municipality to enter into an interlocal agreement to implement a program; authorizing a county or municipality to deauthorize a program administrator through certain measures; authorizing a recorded financing agreement at the time of deauthorization to continue, with an exception; authorizing a program administrator to contract with third-party administrators to implement the program; authorizing a program administrator to levy non-ad valorem assessments for a certain purpose; providing for compensation for tax collectors for actual costs incurred to collect non-ad valorem assessments; authorizing a program administrator to incur debt for the purpose of providing financing for qualifying improvements; authorizing the owner of record of the commercial property to apply to the program administrator to finance a qualifying improvement; requiring the program administrator to receive the written consent of current holders or loan servicers of certain mortgages encumbering or secured by commercial property; requiring a program administrator offering a program for financing qualifying improvements to commercial property to certain underwriting criteria; requiring the program administrator to make certain findings before entering into a financing agreement; requiring the program administrator to ascertain certain financial information

from the property owner before entering into a financing agreement; requiring the program administrator to document and retain certain findings; requiring certain financing agreement and contract provisions for change orders under certain circumstances; prohibiting a financing agreement from being entered into under certain circumstances; requiring the program administrator to provide certain information before a financing agreement may be executed; requiring any financing agreement executed pursuant to this section be submitted for recording in the public records of the county where the commercial property is located in a specified timeframe; requiring that the recorded agreement provide constructive notice that the non-ad valorem assessment levied on the property is a lien of equal dignity; providing that a lien with a certain acceleration provision is unenforceable; creating the seller's disclosure statements for properties offered for sale which have assessments on them for qualifying improvements; requiring the program administrator to confirm that certain conditions are met before disbursing final funds to a qualifying improvement contractor for qualifying improvements on commercial property; providing construction; creating s. 163.083, F.S.; requiring a county or municipality to establish or approve a process for the registration of a qualifying improvement contractor to install qualifying improvements; requiring certain conditions for a qualifying improvement contractor to participate in a program; prohibiting a third-party administrator from registering as a qualifying improvement contractor; requiring the program administrator to monitor qualifying improvement contractors, enforce certain penalties for a finding of violation, and post certain information online; creating s. 163.084, F.S.; authorizing the program administrator to contract with entities to administer an authorized program; providing certain requirements for a third-party administrator; prohibiting a program administrator from acting as a third-party administrator under certain circumstances; providing an exception; requiring the program administrator to include in its contract with the third-party administrator the right to perform annual reviews of the administrator; authorizing the program administrator to take certain actions if the program administrator finds that the third-party administrator has committed a violation of its contract; authorizing a program administrator to terminate an agreement with a third-party administrator under certain circumstances; providing for the continuation of certain financing agreements after the termination or suspension of the third-party administrator, with an exception; creating s. 163.085, F.S.; requiring that, in communicating with the property owner, the program administrator, qualifying improvement contractor, or third-party administrator comply with certain requirements; prohibiting the program administrator or third-party administrator from disclosing certain financing information to a qualifying improvement contractor; prohibiting a qualifying improvement contractor from making certain advertisements or solicitations; providing exceptions; prohibiting a program administrator or third-party administrator from providing certain payments, fees, or kickbacks to a qualifying improvement contractor; prohibiting a program administrator or third-party administrator from reimbursing a qualifying improvement contractor for certain expenses; prohibiting a qualifying improvement contractor from providing different prices for a qualifying improvement; requiring a contract between a property owner and a qualifying improvement contractor to include certain provisions; prohibiting a program administrator, qualifying improvement contractor, or third-party administrator from providing any cash payment or anything of material value to a property owner which is explicitly conditioned on a financing agreement; providing exceptions; creating s. 163.086, F.S.; prohibiting a recorded financing agreement from being removed from attachment to a property under certain circumstances; providing for the unenforceability of a financing agreement under certain circumstances; providing provisions for when a qualifying improvement contractor initiates work on an unenforceable contract; providing that a qualifying improvement contractor may retrieve chattel or fixtures delivered pursuant to an unenforceable contract if certain conditions are met; providing that an unenforceable contract will remain unenforceable under certain circumstances; creating s. 163.087, F.S.; requiring a program administrator authorized to administer a program for financing a qualifying improvement to post on its website an annual report; specifying requirements for the report; requiring the Auditor General to conduct an operational audit of each program administrator; requiring the Auditor General to adopt certain rules requiring certain reporting from the program administrator; requiring program administrators and, if applicable, third-party administrators to post the report on its website; providing that a contract, agreement, authorization, or interlocal agreement entered into before a certain date may continue without additional action by the county or

municipality; requiring that the program administrator comply with the act and that any related contracts, agreements, authorizations, or interlocal agreements be amended to comply with the act; providing an effective date.

On motion by Senator Martin, by two-thirds vote, **CS for CS for SB 770**, as amended, was read the third time by title, passed, ordered engrossed, and then 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	Jones	Torres
Broxson	Martin	Trumbull
Burgess	Mayfield	Wright
Burton	Osgood	Yarborough
Calatayud	Perry	

Nays—2

Grall	Ingoglia
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SPECIAL RECOGNITION

Senator Gruters welcomed New College of Florida Trustees Ron Christaldi, Lance Karp, Don Patterson, and Mark Bauerlein; Foundation Chair Adam Kendall; Alumni Mark Famiglio and Robert Allen; Dean of Students David Rancourt, who were present in the gallery. Senator Gruters also introduced his wife, Sydney Gruters, Executive Director and Vice President of Advancement, who was seated in the gallery.

MOTIONS

On motion by Senator Mayfield, by two-thirds vote, all bills passed this day were ordered immediately certified to the House.

BILLS ON SPECIAL ORDERS

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Wednesday, February 7, 2024: CS for CS for SB 1758, SB 2500, SB 2502, SB 2504, SB 7024, SB 2506, SB 2508, SB 520, SB 2510, SB 2512, SB 2514, SB 2516, SB 2518, CS for SB 7028, CS for SB 7038, CS for CS for SB 328, CS for CS for SB 770.

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

REPORTS OF COMMITTEES

The Committee on Community Affairs recommends the following pass: CS for SB 400

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

The Committee on Criminal Justice recommends the following pass: SB 1634

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

The Committee on Health Policy recommends the following pass: SB 1118; SB 1442

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

The Committee on Transportation recommends the following pass: SB 948; SB 1464

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

The Committee on Banking and Insurance recommends the following pass: SB 1640

The Committee on Community Affairs recommends the following pass: SB 818

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

The Committee on Health Policy recommends the following pass: SB 1632

The bill was referred to the Committee on Governmental Oversight and Accountability under the original reference.

The Committee on Commerce and Tourism recommends the following pass: SB 1206

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

The Committee on Commerce and Tourism recommends the following pass: CS for SB 1074

The Committee on Community Affairs recommends the following pass: SB 50; CS for SB 192; CS for SB 600; CS for SB 870; SB 1158; SB 1174; CS for SB 1492; CS for SB 1534

The Committee on Criminal Justice recommends the following pass: SB 42; SB 1090; SB 1712

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 320; CS for SB 742; SB 910; SB 1078; SB 1312

The Committee on Health Policy recommends the following pass: CS for SB 238

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

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1040

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

The Committee on Ethics and Elections recommends a committee substitute for the following: CS for SB 734

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

The Committee on Regulated Industries recommends committee substitutes for the following: SB 426; SB 1006; SB 1544

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1154

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

The Committee on Education Postsecondary recommends a committee substitute for the following: SB 62

The Committee on Education Pre-K -12 recommends committee substitutes for the following: SB 786; SB 1264

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

The Committee on Transportation recommends a committee substitute for the following: SB 1380

The bill with committee substitute attached was referred to the Appropriations Committee on Health and Human Services under the original reference.

The Committee on Governmental Oversight and Accountability recommends committee substitutes for the following: SB 24; SB 26

The Committee on Transportation recommends committee substitutes for the following: SB 288; SB 1032

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

The Committee on Regulated Industries recommends committee substitutes for the following: SB 574; SB 1134

The bills with committee substitute attached were referred to the Committee on Commerce and Tourism under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: SB 1616

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

The Committee on Transportation recommends a committee substitute for the following: SB 1528

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

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 352

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

The Committee on Education Pre-K -12 recommends a committee substitute for the following: SB 1044

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

The Committee on Agriculture recommends a committee substitute for the following: SB 1364

The Committee on Commerce and Tourism recommends committee substitutes for the following: CS for SB 458; CS for SB 966

The Committee on Governmental Oversight and Accountability recommends committee substitutes for the following: SB 658; SB 894; SB 1000; SB 1014; SB 1176

The Committee on Judiciary recommends committee substitutes for the following: CS for SB 1066; SB 1104; SB 1530

The Committee on Regulated Industries recommends committee substitutes for the following: CS for SB 812; SB 1706

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Education Postsecondary recommends that the Senate confirm the following appointments made by the Board of Governors:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees, New College of Florida	
Appointee: Patterson, Donald	01/06/2026
Board of Trustees, Florida Polytechnic University	
Appointee: Panuccio, Jesse	11/07/2027

The Committee on Education Postsecondary recommends that the Senate confirm the following appointments made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Governors of the State University System	
Appointees: Barnett, Ashley B.	01/06/2026
Cerio, Timothy M.	01/06/2031
Levine, Alan M.	01/06/2031

Board of Trustees, Florida A & M University	
Appointee: White, Michael David II	01/06/2028

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

Senate Bills 7000-7048—Previously introduced.

By the Committee on Children, Families, and Elder Affairs—

SB 7052—A bill to be entitled An act relating to economic self-sufficiency; amending s. 414.065, F.S.; providing that a participant has good cause for noncompliance with work requirements for a specified time period under certain circumstances; making technical changes;

amending s. 414.105, F.S.; providing requirements for staff members of local workforce development boards when interviewing participants; amending s. 414.455, F.S.; requiring certain persons to participate in an employment and training program; making a technical change; amending s. 445.009, F.S.; requiring benefit management and career planning using a specified tool as part of the state’s one-stop delivery system; amending s. 445.011, F.S.; requiring the Department of Commerce to develop certain training; conforming provisions to changes made by the act; making a technical change; amending s. 445.017, F.S.; requiring a local workforce development board to administer an intake survey; amending s. 445.024, F.S.; authorizing certain participants to participate in certain programs or courses for a specified number of hours per week; authorizing the Department of Commerce to suspend certain work requirements under certain circumstances; requiring the department to issue notice to participants under certain circumstances; amending s. 445.028, F.S.; requiring the Department of Children and Families to administer an exit survey; making technical changes; creating s. 445.0281, F.S.; providing voluntary case management services to certain persons for specified purposes; providing requirements for such case management services and case managers; amending s. 445.035, F.S.; requiring CareerSource Florida, Inc., in collaboration with other entities, to develop standardized intake and exit surveys for specified purposes; specifying when such surveys must be administered; providing requirements for such surveys; requiring completed surveys to be submitted to CareerSource Florida, Inc., and disseminated quarterly to certain departments; requiring the Department of Commerce, in consultation with other entities, to prepare and submit an annual report to the Legislature; providing requirements for such report; providing an effective date.

—was referred to the Committee on Fiscal Policy.

By the Committee on Education Pre-K -12—

SB 7056—A bill to be entitled An act relating to public records; amending s. 30.15, F.S.; providing that certain information relating to school guardians which is held by the Department of Law Enforcement, a law enforcement agency, a school district, or a charter school pursuant to a specified provision is exempt from public records requirements; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committee on Rules.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Governmental Oversight and Accountability; and Senators Rouson, Davis, and Osgood—

CS for SB 24—A bill to be entitled An act relating to the Dozier School for Boys and Okeechobee School Victim Compensation Program; creating s. 16.63, F.S.; establishing the Dozier School for Boys and Okeechobee School Victim Compensation Program within the Department of Legal Affairs; specifying the purpose of the program; requiring the department to accept and process applications for the payment of compensation claims under the program; requiring the department to provide specified notice of the program; specifying application procedures and requirements; requiring the department to issue application approvals or denials under specified conditions; requiring the department, subject to the appropriation of funds for that purpose, to pay a specified compensation amount to approved applicants; requiring notice of application approval or denial; authorizing an applicant whose application is rejected to submit a new application; providing that a person compensated under the program is ineligible for further compensation related to his confinement; requiring the department to adopt by rule specified procedures and forms; authorizing the Commissioner of Education to award a standard high school diploma to specified persons under certain circumstances; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senators Rouson and Davis—

CS for SB 26—A bill to be entitled An act relating to public records; creating s. 16.64, F.S.; providing an exemption from public records requirements for the personal identifying information in an application submitted to the Department of Legal Affairs by, or on behalf of, a person seeking compensation through the Dozier School for Boys and Okeechobee School Victim Compensation Program; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

By the Committee on Education Postsecondary; and Senators Osgood and Book—

CS for SB 62—A bill to be entitled An act relating to resident status for tuition purposes; amending s. 1009.21, F.S.; providing that a person may not lose his or her resident status for tuition purposes due to incarceration; providing an effective date.

By the Committee on Transportation; and Senators Rodriguez and Hooper—

CS for SB 288—A bill to be entitled An act relating to designation of a certain diagnosis on motor vehicle registrations; providing a short title; amending s. 320.02, F.S.; requiring the application form for motor vehicle registration to include certain language allowing an applicant to indicate that he or she has been diagnosed with, or is the parent or legal guardian of a child or ward who has been diagnosed with, specified disabilities or disorders; requiring that certain information be included in a specified database if an applicant indicates a certain diagnosis and provides proof of such; requiring the Department of Highway Safety and Motor Vehicles to allow specified persons to update a motor vehicle registration to include or remove information regarding a diagnosis at any time; amending s. 320.27, F.S.; conforming a cross-reference; providing an effective date.

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

CS for SB 352—A bill to be entitled An act relating to a virtual currency sales tax holiday; defining the terms “convenience store” and “virtual currency”; providing a sales tax exemption during a specified period for the retail sale of tangible personal property and services which is paid in virtual currency and is made by specified establishments; authorizing the Department of Revenue to adopt emergency rules; providing that such rules are effective for a specified period of time; providing an effective date.

By the Committee on Regulated Industries; and Senators Garcia and Jones—

CS for SB 426—A bill to be entitled An act relating to community associations; creating s. 16.0151, F.S.; creating the Condominium and Homeowners’ Association Economic Crime, Fraud, and Corruption Investigation Pilot Program within the Department of Legal Affairs in the Office of the Attorney General; providing the purpose of the pilot program; defining the term “corruption”; authorizing the department to contract with a private entity to achieve the program’s purpose; requiring the department to hire specified personnel under certain circumstances; authorizing the submission of complaints to the Office of the Condominium and Homeowners’ Ombudsman; requiring the ombudsman to review such complaints and take specified actions; providing powers of and requirements for the department relating to the pilot program; requiring that the pilot program be funded from the Division of Florida Condominiums, Timeshares, and Mobile Homes Trust Fund; requiring that the pilot program’s primary office be located in Miami-Dade County; providing for future repeal of the pilot program unless it is reviewed and saved from repeal by the Legislature; amending s. 215.22, F.S.; exempting the Division of Florida Condominiums, Timeshares, and Mobile Homes Trust Fund from contributing to the General Revenue Fund; amending s. 718.111, F.S.; requiring the division to monitor condominium associations’ compliance with requirements relating to maintenance of certain insurance or fidelity bonding of certain persons; authorizing the division to issue fines and

penalties for noncompliance; creating s. 718.13, F.S.; requiring the division to establish a searchable cloud-based database by a specified date which contains specified information regarding each condominium association in this state; requiring the division to establish rules and procedures for associations to report such information; requiring a condominium association to notify the division of any changes to the information related to the association which is listed in the database; requiring that the creation and administration of the database be funded in part by specified proceeds; amending s. 718.501, F.S.; requiring the division to forward complaints received alleging fraud or corruption to the Office of the Condominium and Homeowners’ Ombudsman; amending s. 718.5011, F.S.; renaming the Office of the Condominium Ombudsman as the Office of the Condominium and Homeowners’ Ombudsman; amending s. 718.5012, F.S.; revising the powers of the ombudsman; amending s. 718.509, F.S.; conforming a provision to changes made by the act; making technical changes; providing an effective date.

By the Committees on Commerce and Tourism; and Health Policy; and Senator Brodeur—

CS for CS for SB 458—A bill to be entitled An act relating to invalid restrictive covenants in health care; amending s. 542.336, F.S.; specifying that certain restrictive covenants in employment agreements relating to certain licensed physicians are not supported by a legitimate business interest; specifying that such restrictive covenants are void and unenforceable; providing applicability; defining the term “compensation”; providing an effective date.

By the Committee on Regulated Industries; and Senator Burgess—

CS for SB 574—A bill to be entitled An act relating to in-store servicing of alcoholic beverages; amending s. 561.424, F.S.; conforming provisions to changes made by the act; creating s. 561.425, F.S.; authorizing the in-store servicing of distilled spirits sold by a distributor to a vendor; defining the term “in-store servicing”; providing an effective date.

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

CS for SB 658—A bill to be entitled An act relating to cybersecurity incident liability; creating s. 768.401, F.S.; providing that a county, municipality, other political subdivision of the state, commercial entity, or third-party agent that complies with certain requirements is not liable in connection with a cybersecurity incident; requiring certain entities to adopt certain revised frameworks or standards within a specified time period; providing that a private cause of action is not established; providing that certain failures are not evidence of negligence and do not constitute negligence per se; specifying that the defendant in certain actions has a certain burden of proof; providing an effective date.

By the Committees on Ethics and Elections; and Community Affairs; and Senator Ingoglia—

CS for CS for SB 734—A bill to be entitled An act relating to government accountability; amending s. 112.313, F.S.; defining the term “foreign country of concern”; prohibiting specified individuals from soliciting or accepting anything of value from a foreign country of concern; making technical changes; creating s. 112.3262, F.S.; defining terms; prohibiting a person from lobbying a county, municipality, or special district unless he or she is registered as a lobbyist with the Commission on Ethics; establishing registration requirements; requiring that lobbyist registrations be made available to the public on its website; establishing procedures for canceling a lobbyist’s registration; requiring counties, municipalities, or special districts to be diligent in determining whether certain persons have registered with the commission; prohibiting counties, municipalities, or special districts from authorizing nonregistered persons to lobby specified entities; requiring the commission to investigate a lobbyist or principal upon receipt of a sworn complaint containing certain allegations; requiring the commission to provide the chief executive officer of the county or municipality or the governing body of the special district with a report on the findings and recommendations arising out of the investigation; authorizing the chief

executive officer of the county or municipality or the governing body of the special district to enforce the findings and recommendations; providing that specified provisions preempt and supersede specified ordinances or charter provisions adopted before a specified date; amending s. 125.73, F.S.; prohibiting the governing body of a county from renewing or extending the employment contract of a county administrator during a specified timeframe; providing an exception; creating s. 125.75, F.S.; prohibiting the governing body of a county from renewing or extending the employment contract of the county attorney during a specified timeframe; providing an exception; amending s. 166.021, F.S.; prohibiting the governing body of a municipality from renewing or extending the employment contract of a chief executive officer of the municipality or the city attorney during a specified timeframe; providing exceptions; amending s. 1001.50, F.S.; prohibiting a district school board from renewing or extending the employment contract of a district school superintendent during a specified timeframe; providing an exception; creating s. 1012.336, F.S.; prohibiting a district school board from renewing or extending the employment contract of the general counsel of the district school board during a specified timeframe; providing an exception; amending s. 112.061, F.S.; conforming cross-references; reenacting ss. 28.35(1)(b), 112.3136(1), 112.3251, 288.012(6)(d), 288.8014(4), 288.9604(3)(a), 295.21(4)(d), 406.06(5), 447.509(1)(d), 627.311(5)(m), 1002.33(26)(a), 1002.333(6)(f), and 1002.83(9), F.S., relating to members of the executive council of the Florida Clerks of Court Operations Corporation, standards of conduct for officers and employees of entities serving as chief administrative officers of political subdivisions, the ethics code and standards of conduct for citizen support and direct-support organizations, senior managers and members of the board of directors of the direct-support organization of State of Florida international offices, standards of conduct for members of the board of directors of Triumph Gulf Coast, Inc., directors of the Florida Development Finance Corporation, standards of conduct for the board of directors of Florida Is For Veterans, Inc., standards of conduct for district and associate medical examiners, prohibited actions of employee organizations, their members, agents, representatives, or persons acting on their behalf, standards of conduct for senior managers, officers, and members of the board of governors of the Office of Insurance Regulation, standards of conduct and financial disclosure for members of a governing board of a charter school, those operating schools of hope, and standards of conduct for members of an early learning coalition, respectively, to incorporate the amendments made to s. 112.313, F.S., in references thereto; providing an effective date.

By the Committee on Education Pre-K -12; and Senator Powell—

CS for SB 786—A bill to be entitled An act relating to the Youth Conflict Resolution and Peer Mediation Pilot Program; creating the Youth Conflict Resolution and Peer Mediation Pilot Program, subject to legislative appropriation; providing the purpose of the pilot program; providing for an application process for participation in the pilot program; requiring the Commissioner of Education to select a certain number of middle or high schools to participate in the pilot program; requiring the commissioner to select a conflict resolution curriculum for use in the program; requiring the commissioner to select a nonprofit organization to implement the pilot program; providing participating middle or high schools and the nonprofit organization responsibilities; requiring the nonprofit organization to provide a report to the Governor, the Legislature, and the Department of Education; providing requirements for the report; authorizing the State Board of Education to adopt rules to administer the pilot program; providing an effective date.

By the Committees on Regulated Industries; and Community Affairs; and Senator Ingoglia—

CS for CS for SB 812—A bill to be entitled An act relating to expedited approval of residential building permits; creating s. 177.073, F.S.; providing definitions; requiring certain governing bodies, by a date certain, to each create a program to expedite the process for issuing residential building permits before a final plat is recorded; requiring the expedited process to include a certain application; prohibiting the application or local government final approval from altering or restricting the number of building permits requested under certain circumstances; requiring certain governing bodies to update their program in a specified manner; providing applicability; requiring a governing body to create certain processes for purposes of the program; authorizing ap-

plicants to use a private provider to expedite the process for certain building permits; authorizing a governing body to issue addresses and temporary parcel identification numbers for specified purposes; requiring a governing body to issue a specified number or percentage of building permits requested in an application when certain conditions are met; setting forth certain conditions for applicants who apply to the program; providing that an applicant has a vested right in an approved preliminary plat when certain conditions are met; prohibiting a governing body from making substantive changes to a preliminary plat without written consent; requiring an applicant to indemnify and hold harmless certain entities and persons; providing an exception; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senators Bradley and Yarborough—

CS for SB 894—A bill to be entitled An act relating to governing body meetings; amending s. 166.0213, F.S.; authorizing governing bodies of municipalities to convene meetings and conduct official business via teleconferencing or other technological means if certain conditions are met; providing limitations on such meetings; providing that certain limitations placed on such meetings may be suspended by the Governor, for a specified timeframe, upon a declared state of emergency impacting the municipality in which the meeting would occur; providing an effective date.

By the Committees on Commerce and Tourism; and Banking and Insurance; and Senator Burgess—

CS for CS for SB 966—A bill to be entitled An act relating to home warranty transfers; amending s. 634.312, F.S.; providing a limitation on the application of provisions relating to home warranty contract assignments; amending s. 634.331, F.S.; making technical changes; conforming provisions to changes made by the act; creating part IV of ch. 634, F.S., entitled “Miscellaneous Provisions”; creating s. 634.601, F.S., defining terms; creating s. 634.602, F.S.; providing requirements for express written warranties and home warranties transferred to subsequent home purchasers; providing for the assignment of maintenance contracts in certain circumstances; specifying conditions for the automatic transfer of home warranties that are conditions included in maintenance contracts; providing requirements of a subsequent purchaser who accepts the assignment of a maintenance contract, and of a builder or home warranty association in such instance; requiring a builder or home warranty association to provide certain notice to a subsequent purchaser; providing that such notification be at a certain address unless the builder or home warranty association are notified by the purchaser of a preferred method; restricting a builder or home warranty association from limiting the timeframe for notice by a subsequent purchaser; prohibiting a builder or home warranty association from charging a fee for transferring the warranty; providing construction; renaming ch. 634, F.S.; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senators DiCeglie and Book—

CS for SB 1000—A bill to be entitled An act relating to public records; amending s. 28.47, F.S.; providing that certain information submitted to the clerk of the circuit court or property appraiser for the purpose of registering for a recording notification service or a related service is confidential and exempt from public records requirements; providing an exception; providing for retroactive application; providing for future legislative review and repeal of the exemption; providing a directive to the Division of Law Revision; providing a statement of public necessity; providing an effective date.

By the Committee on Regulated Industries; and Senator Perry—

CS for SB 1006—A bill to be entitled An act relating to nicotine products and dispensing devices; reordering and amending s. 569.31, F.S.; revising and defining terms for purposes of part II of ch. 569, F.S.; creating s. 569.311, F.S.; requiring nicotine product manufacturers who sell nicotine dispensing products in this state to execute and deliver a form, under penalty of perjury, to the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation

for each dispensing device sold within this state which meets certain criteria; specifying requirements for the form prescribed by the division; requiring nicotine product manufacturers to submit certain additional materials when submitting the form to the division; requiring a manufacturer to notify the division of certain events; requiring the division to develop and maintain a directory listing certified nicotine product manufacturers and certified nicotine dispensing devices by a specified date; specifying requirements for the directory; requiring the division to establish rules to provide notice to a nicotine product manufacturer before removal of the manufacturer or any of its nicotine dispensing devices from the directory; providing for administrative review of action by the division regarding the directory; providing penalties for certain violations by manufacturers; subjecting retail and wholesale nicotine products dealers to inspections or audits to ensure compliance; requiring the division to publish findings of such inspections and audits and make them available to the public; authorizing the division to adopt certain procedures by rule; authorizing the division to take certain actions against nicotine product manufacturers who fail to provide certain documents or information; requiring all fines to be deposited into the General Revenue Fund; creating s. 569.312, F.S.; requiring specified manufacturers and dealers of nicotine dispensing devices to maintain certain records for a specified timeframe; requiring such manufacturers and dealers to timely comply with division requests to produce records; authorizing the division to examine such records for specified purposes; providing for enforcement; authorizing the division to assess administrative fines for noncompliance and requiring all fines to be deposited into the General Revenue Fund; creating s. 569.313, F.S.; prohibiting the sale, shipment, or distributing of certain nicotine dispensing devices from being sold for retail sale in this state; providing a criminal penalty; authorizing the division to assess fines and requiring all fines to be deposited into the General Revenue Fund; creating s. 569.316, F.S.; requiring persons or entities that seek to deal or sell certain nicotine products to retail dealers to obtain a wholesale nicotine products dealer permit; specifying requirements and limitations regarding the issuance of such permits; specifying conditions under which the division may refuse to issue a permit; providing requirements and limitations for permit holders; providing that a wholesale dealer or a distributing agent do not need separate or additional wholesale nicotine products permit in this state; creating s. 569.317, F.S.; requiring wholesale nicotine products dealer permit holders to purchase and sell for retail sale only nicotine dispensing devices listed in the division's directory; authorizing the division to suspend or revoke a permit if a violation is deemed to have occurred; authorizing the division to assess administrative penalties for violations and requiring all fines to be deposited into the General Revenue Fund; amending s. 569.32, F.S.; requiring that retail nicotine products dealer permits be issued annually; providing procedures for the renewal of permits; requiring the division to levy a delinquent fee under certain circumstances; requiring the division to adopt by rule a certain procedure for the submittal of applications; prohibiting the division from granting exemptions from permit fees; making technical changes; amending s. 569.33, F.S.; providing that holders of a wholesale nicotine products dealer permit must consent to certain inspections and searches without a warrant; amending s. 569.34, F.S.; providing criminal penalties for the unlawful sale or dealing of unlisted nicotine dispensing devices; providing criminal penalties for the unauthorized purchase of certain nicotine dispensing devices; authorizing the division to suspend or revoke a permit of a permit holder upon sufficient cause of a violation of part II of ch. 569, F.S.; authorizing the division to assess an administrative penalty for violations and requiring all fines to be deposited into the General Revenue Fund; making technical changes; creating s. 569.345, F.S.; providing for the seizure and destruction of unlawful nicotine dispensing devices in accordance with the Florida Contraband Forfeiture Act; requiring a court with jurisdiction to take certain action; requiring the division to maintain certain records; requiring that costs be borne by the person who held the seized products; creating s. 569.346, F.S.; requiring certain manufacturers of nicotine dispensing devices to appoint an agent for certain purposes; requiring such manufacturers to provide certain notice; appointing the Secretary of State as the agent to manufacturers who have not appointed an agent; amending s. 569.002, F.S.; conforming cross-references to changes made by the act; providing an effective date.

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

CS for SB 1014—A bill to be entitled An act relating to public records; amending s. 655.057, F.S.; providing an exemption from public records requirements for certain information received by the Office of Financial Regulation relating to an application for authority to organize a new state bank or new state trust company; providing an exemption from public records requirements for certain information received by the office relating to an application for authority to organize a new state bank or new state trust company until specified conditions are met; defining the term “personal identifying information”; authorizing an authorized officer or employee of the office to disclose personal identifying information under certain circumstances; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

By the Committee on Transportation; and Senator Gruters—

CS for SB 1032—A bill to be entitled An act relating to transportation; amending s. 20.23, F.S.; deleting obsolete language; amending s. 334.065, F.S.; revising the membership of the Center for Urban Transportation Research advisory board; requiring review and approval of certain recommendations to the advisory board by the Florida Transportation Commission and confirmation of such nominations by the Board of Governors; amending s. 334.066, F.S.; revising the membership of the Implementing Solutions from Transportation Research and Evaluating Emerging Technologies (I-STREET) Living Lab advisory board; amending s. 339.175, F.S.; revising legislative intent; prohibiting the designation of additional metropolitan planning organizations (M.P.O.'s) after a specified date except in certain urbanized areas; deleting provisions relating to duties for a designated M.P.O.; revising projects and strategies to be considered in developing an M.P.O.'s long-range transportation plan and transportation improvement program; revising the M.P.O.'s required to submit to the Governor and the Legislature, by a specified date, a feasibility report regarding consolidation; requiring the department to periodically convene M.P.O.'s of similar size to exchange best practices; authorizing such M.P.O.'s to develop committees or working groups; requiring training for new M.P.O. governing board members to be provided by the department or, at the discretion of the department, another specified entity; deleting a provision relating to M.P.O. coordination mechanisms; including public-private partnerships as an authorized innovative financing technique for needed projects and programs; revising proposed transportation enhancement activities that must be indicated by the long-range transportation plan; providing that M.P.O. long-range transportation plans must be approved by the department, as well as the M.P.O.; requiring the department to review certain aspects of each M.P.O.'s long-range transportation plan and to return the plan to the M.P.O. for revision if deemed unsatisfactory; requiring the department to create quality performance metrics and a scoring mechanism to evaluate each M.P.O.'s service to its communities and to establish a minimum acceptable quality performance score; requiring each M.P.O. to report its quality performance score annually to the district secretary and to publish the score on its website, beginning on a specified date; requiring the department to validate each M.P.O.'s score calculation and make any necessary adjustments; deleting provisions relating to the Metropolitan Planning Organization Advisory Council; amending ss. 331.3051 and 331.310, F.S.; conforming cross-references and provisions to changes made by the act; requiring the department to submit a report to the Governor and Legislature by a specified date which provides a comprehensive review of the boundaries of department districts and makes certain recommendations; providing an effective date.

By the Committee on Regulated Industries; and Senator Bradley—

CS for SB 1040—A bill to be entitled An act relating to veterinary practices; amending s. 474.202, F.S.; defining the term “veterinary telehealth”; creating s. 474.2021, F.S.; providing a short title; authorizing licensed veterinarians to practice veterinary telehealth in accordance with specified criteria; specifying the powers of the Board of Veterinary Medicine related to the practice of telehealth; specifying the conditions under which a veterinarian may practice veterinary telehealth; specifying the drugs a veterinarian practicing telehealth may not provide under specified circumstances; providing specific authorizations for cases where a patient is a food-producing species; amending

s. 474.2165, F.S.; conforming a provision to changes made by the act; amending s. 828.30, F.S.; authorizing certain persons to administer rabies vaccinations to certain animals under indirect supervision of a veterinarian; providing that a supervising veterinarian assumes responsibility for specified people who provide vaccinations; defining the term “indirect supervision”; amending ss. 474.203, 767.16, and 828.29, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Education Pre-K -12; and Senator Grall—

CS for SB 1044—A bill to be entitled An act relating to school chaplains; creating s. 1012.461, F.S.; authorizing school districts and charter schools to adopt a policy to allow volunteer school chaplains; establishing the requirements for such policy; requiring district school boards and charter school governing boards to assign specified duties to such volunteer school chaplains; requiring volunteer school chaplains to meet certain background screening requirements; requiring school districts that adopt volunteer school chaplain policies to publish certain information on their websites; amending s. 1012.465, F.S.; providing background screening requirements for volunteer school chaplains; providing an effective date.

By the Committees on Judiciary; and Banking and Insurance; and Senator Burton—

CS for CS for SB 1066—A bill to be entitled An act relating to consumer protection; amending s. 45.032, F.S.; defining the term “nonprofit organization”; requiring certain persons to disclose to the court certain fees to be paid to himself or herself; prohibiting such persons from charging the owner of record more than a specified amount; requiring the court to hold certain claims invalid; providing that any nonprofit organization has unconditional standing in certain matters; providing that a nonprofit organization is entitled to certain fees and costs under certain circumstances; making a technical change; amending s. 45.033, F.S.; revising the circumstances in which a transferee or assignee is entitled to surplus funds or a portion or percentage of surplus funds; providing that certain voluntary transfers or assignments are invalid and void; amending s. 197.582, F.S.; requiring the clerk, within a specified timeframe, to file an interpleader action under certain circumstances; revising the circumstances when the clerk may file an interpleader action; prohibiting a property owner from transferring or assigning its interest in surplus funds to any party; providing an exception; providing that certain transfers or assignments are invalid; requiring certain persons to disclose to the court certain fees to be paid to himself or herself; prohibiting such persons from charging the owner of record more than a specified amount; providing that a nonprofit organization has unconditional standing in certain matters; providing that a nonprofit organization is entitled to certain fees and costs under certain circumstances; making a technical change; amending s. 212.134, F.S.; defining terms; revising requirements for payment settlement entities, or their electronic payment facilitators or contracted third parties, in submitting information returns to the Department of Revenue; specifying requirements for third party settlement organizations that conduct certain transactions; providing applicability; creating s. 286.312, F.S.; prohibiting agencies from entering into certain contracts or agreements; amending s. 489.147, F.S.; authorizing an insured or claimant to cancel a contract to replace or repair a rook without penalty or obligation under certain circumstances; defining the term “official start date”; requiring certain contractors to include certain language in contracts executed at a specified time; requiring an insured or claimant to send a notice of cancellation under certain circumstances; amending s. 559.9611, F.S.; revising the definition of the term “depository institution”; amending s. 624.424, F.S.; providing requirements for certain insurers’ accountants; amending s. 626.854, F.S.; revising applicability of provisions relating to public adjusters; amending s. 626.8796, F.S.; revising the content of certain public adjuster contracts; amending s. 627.43141, F.S.; specifying requirements, after a specified date, for certain notices regarding a change in policy terms; amending s. 627.6426, F.S.; revising the disclosure requirements of contracts for short-term health insurance; amending s. 627.70132, F.S.; requiring a condominium association to give a notice of claim for loss assessment coverage to its insurer by a certain date; amending s. 791.012, F.S.;

updating the source of the code for outdoor display of fireworks; providing an effective date.

By the Committee on Judiciary; and Senator Bradley—

CS for SB 1104—A bill to be entitled An act relating to policy cancellations and nonrenewals by property insurers; amending s. 626.9201, F.S.; prohibiting insurers from canceling and nonrenewing, within certain timeframes, policies covering personal residential or commercial residential properties damaged by hurricanes or wind losses; providing exceptions; providing construction; authorizing the Financial Services Commission to adopt rules and the Commissioner of Insurance Regulation to issue orders; requiring that certain policies contain similar terms under certain circumstances; amending s. 627.4133, F.S.; prohibiting insurers from canceling and nonrenewing, within certain timeframes, policies covering personal residential or commercial residential properties damaged by hurricanes or wind losses; providing that such prohibition applies to flood damages caused by hurricanes under certain circumstances; revising exceptions; providing construction; requiring that certain policies contain similar terms under certain circumstances; providing an effective date.

By the Committee on Regulated Industries; and Senators Trumbull and Bradley—

CS for SB 1134—A bill to be entitled An act relating to individual wine containers; amending s. 564.05, F.S.; revising an exception to the maximum allowable capacity for an individual container of wine sold in this state; providing an effective date.

By the Committee on Criminal Justice; and Senator Simon—

CS for SB 1154—A bill to be entitled An act relating to probation and community control violations; amending s. 921.0024, F.S.; revising the sentencing score sheet to reflect the absence of community sanction points assessed in certain circumstances; amending s. 948.06, F.S.; revising sanctions for probation violations; providing for hearings within a specified time period for low-risk probation or community control violations; providing for the release of offenders in certain circumstances if a hearing is not held; providing for nonmonetary conditions of release; making technical changes; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senators Yarborough and Hooper—

CS for SB 1176—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for the personal identifying and location information of current clerks of the circuit court and deputy clerks of the circuit court and the names and personal identifying and location information of the spouses and children of such clerks and deputy clerks; providing for future legislative review and repeal of the exemption; providing for retroactive application; providing a statement of public necessity; providing an effective date.

By the Committee on Education Pre-K -12; and Senator Collins—

CS for SB 1264—A bill to be entitled An act relating to the History of Communism Task Force; amending s. 1003.42, F.S.; requiring instruction in public schools on the history of communism; requiring each school district to annually certify to the department that it provided instruction on the subject; creating s. 1003.441, F.S.; creating the History of Communism Task Force within the Department of Education; requiring the task force to work with the Division of Historical Resources within the Department of State to make recommendations by a specified date to the State Board of Education and the Commissioner of Education for curriculum standards and instruction on communist history; providing requirements for the recommendations; requiring the board to develop a curriculum based on the recommendations; authorizing the task force to recommend to the Legislature the creation of a museum of communist history; providing an effective date.

By the Committee on Agriculture; and Senator Calatayud—

CS for SB 1364—A bill to be entitled An act relating to the Everglades Protection Area; amending s. 163.3184, F.S.; requiring that proposed plans and plan amendments that apply to certain lands within or near the Everglades Protection Area follow the state coordinated review process; conforming provisions to changes made by the act; authorizing local governments to consider an application for a development permit or development order contingent upon adoption of such plans and amendments; providing duties of the Department of Environmental Protection relating to such plans and plan amendments; providing a condition for the adoption of such plans and plan amendments upon a certain determination by the department; specifying a requirement for the transmittal of certain comprehensive plan amendments to the department; making technical changes; providing construction; amending s. 163.3187, F.S.; authorizing site-specific text changes for small-scale future land use map amendments; prohibiting the adoption of small-scale development amendments for properties located within or near the Everglades Protection Area; requiring local governments whose boundaries include any portion of the Everglades Protection Area to transmit copies of adopted small-scale development amendments to the state land planning agency within a specified timeframe; making technical changes; providing construction; amending s. 420.615, F.S.; conforming a cross-reference; providing an effective date.

By the Committee on Transportation; and Senator Hutson—

CS for SB 1380—A bill to be entitled An act relating to transportation services for persons with disabilities and the transportation disadvantaged; reordering and amending s. 427.011, F.S.; defining terms; amending s. 427.012, F.S.; revising membership of the Commission for the Transportation Disadvantaged and qualifications therefor; providing for staggered terms; requiring each member to be a resident of this state; deleting provisions relating to background screening requirements; amending s. 427.013, F.S.; revising the duties of the commission; amending s. 427.0159, F.S.; conforming a cross-reference; creating s. 427.02, F.S.; providing responsibilities of a transportation service provider with respect to driver training, installation of video camera monitoring systems, and technology-based services; requiring a transportation service provider and the local government with which the provider contracts to establish standards relating to reasonable time periods between a request for service and the arrival of the provider, limitation of the duration of travel times, transparency regarding the quality of service provided, and a system for the reporting of adverse incidents; requiring that reports of adverse incidents be submitted to the Agency for Persons with Disabilities and the Department of Transportation; requiring the agency and the department to establish requirements for the investigation of adverse incidents; requiring such an investigation to commence within a certain timeframe; providing nonapplicability of provisions exempting the purchase of contractual services from competitive bidding requirements; providing an effective date.

By the Committee on Transportation; and Senator Collins—

CS for SB 1528—A bill to be entitled An act relating to violations against vulnerable road users; creating s. 318.195, F.S.; providing a short title; requiring a person who commits a moving violation that causes serious bodily injury to or the death of a vulnerable road user to pay specified fines and attend a specified driver improvement course; requiring the court to revoke the person's driver license for a specified period; defining the term "vulnerable road user"; providing construction; providing an effective date.

By the Committee on Judiciary; and Senator Martin—

CS for SB 1530—A bill to be entitled An act relating to unauthorized public camping and public sleeping; creating ss. 125.0231 and 166.0453, F.S.; defining the terms "public camping" and "public sleeping"; prohibiting counties and municipalities, respectively, from authorizing or otherwise permitting public sleeping or public camping on public property without a specified permit; authorizing counties and municipalities to designate certain public property for such purpose for a specified time period; requiring counties and municipalities to establish

specified standards and procedures relating to such property; requiring a county to take certain action within 30 days after designating property as authorized; requiring the Department of Children and Families to conduct inspections of such property at specified intervals and to produce a report; providing an exemption from certain requirements for a fiscally constrained county or municipality; providing a cause of action for a resident or business owner in a county or municipality; requiring an application for injunction be accompanied by an affidavit attesting specified information; providing an exception to applicability during specified emergencies; providing a declaration of important state interest; providing an effective date.

By the Committee on Regulated Industries; and Senator Hooper—

CS for SB 1544—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 210.15 and creating s. 210.32, F.S.; requiring persons or entities licensed or permitted by the department's Division of Alcoholic Beverages and Tobacco, or applying for such license or permit, to create and maintain an account with the division's online system and provide an e-mail address to the division; specifying application requirements; prohibiting the division from processing applications not submitted through the online system; amending s. 210.40, F.S.; revising the amount of an initial corporate surety bond required as a condition of licensure as a tobacco product distributor; requiring the division to review corporate surety bond amounts on a specified basis; authorizing the division to increase a bond amount, subject to specified conditions; authorizing the division to adjust bond amounts by rule; authorizing the division to reduce a bond amount upon a showing of good cause; defining terms; requiring the division to notify distributors in writing if their corporate surety bond requirements change; providing applicability; prohibiting the division from reducing a bond amount under specified circumstances; authorizing the division to adopt rules; amending s. 310.0015, F.S.; deleting a provision requiring a competency-based mentor program at ports; deleting a requirement that the department submit an annual report on the mentor program; amending s. 310.081, F.S.; deleting a requirement that the department consider certain characteristics for applicants for certification as a deputy pilot; making technical changes; creating s. 399.18, F.S.; requiring certain persons or entities certified or registered under the Elevator Safety Act, or applying for such certifications or registrations, to create and maintain an online account with the department's Division of Hotels and Restaurants and provide an e-mail address to the division; requiring such persons and entities to maintain the accuracy of their contact information; requiring the division to adopt rules; creating s. 468.519, F.S.; creating the employee leasing companies licensing program under the department; providing legislative intent; repealing s. 468.521, F.S., relating to the department's Board of Employee Leasing Companies; amending s. 469.006, F.S.; revising requirements for department rules governing evidence of financial responsibility of applicants seeking licensure as a business organization under ch. 469, F.S.; amending s. 473.306, F.S.; requiring applicants for the accountancy licensure examination to create and maintain an online account with the department and provide an e-mail address; requiring applicants to maintain the accuracy of their contact information; requiring that address changes be submitted through the department's online system within a specified timeframe; conforming cross-references; amending s. 473.308, F.S.; requiring a person seeking licensure as a Florida certified public accountant, or a firm seeking to engage in public accountancy, to create and maintain an online account with the department and provide an e-mail address; requiring certified public accountants and accounting firms to maintain the accuracy of their contact information; requiring that address changes be submitted through the department's online system within a specified timeframe; amending s. 475.181, F.S.; revising conditions regarding issuance of a licensure under part I of ch. 475, F.S.; amending s. 476.114, F.S.; revising eligibility requirements for licensure as a barber; making technical changes; amending s. 477.019, F.S.; revising eligibility requirements for licensure by examination to practice cosmetology; amending s. 489.131, F.S.; revising the types of penalties that may be recommended by a local jurisdiction enforcement body against a contractor; specifying requirements for any such recommended penalties; amending s. 489.143, F.S.; revising payment limitations for payments made from the department's Florida Homeowners' Construction Recovery Fund; amending s. 499.012, F.S.; revising requirements for certification as a designated representative of a prescription drug wholesale distributor; amending s. 561.17, F.S.; requiring persons or

entities licensed or permitted by the Division of Alcoholic Beverages and Tobacco, or applying for such license or permit, to create and maintain an account with the division's online system; specifying application requirements; prohibiting the division from processing applications not submitted through the online system; creating ss. 569.00256 and 569.3156, F.S.; requiring certain persons or entities licensed or permitted by the division, or applying for such a license or permit, to create and maintain an account with the division's online system; requiring licensees, permittees, and applicants to provide the division with an e-mail address and maintain accurate contact information; specifying application requirements; prohibiting the division from processing applications not submitted through the online system; amending ss. 20.165, 210.16, 212.08, 440.02, 448.26, 468.520, 468.522, 468.524, 468.5245, 468.525, 468.526, 468.527, 468.5275, 468.529, 468.530, 468.531, 468.532, 476.144, and 627.192, F.S.; conforming cross-references and provisions to changes made by the act; providing an effective date.

By the Committee on Judiciary; and Senator Calatayud—

CS for SB 1616—A bill to be entitled An act relating to electronic access to official records; amending s. 28.2221, F.S.; requiring the clerk of the court to make certain information available in a searchable database on the clerk's official website; making technical changes; providing an effective date.

By the Committee on Regulated Industries; and Senator Yarborough—

CS for SB 1706—A bill to be entitled An act relating to condominiums within a portion of a building or within a multiple parcel building; amending s. 718.103, F.S.; revising the definition of the term "condominium property"; amending s. 718.202, F.S.; authorizing the Director of the Division of Florida Condominiums, Timeshares, and Mobile Homes to accept certain assurances in lieu of a specified percentage of the sale price; authorizing a developer to deliver a surety bond or an irrevocable letter of credit in an amount equivalent to a certain percentage of the sale price; conforming provisions to changes made by the act; making technical changes; creating s. 718.407, F.S.; providing that a condominium may be created within a portion of a building or within a multiple parcel building; providing for the common elements of such condominium; providing requirements for the declaration of condominium and other recorded instruments; authorizing an association to inspect and copy certain books and records and to receive an annual budget; requiring that a specified statement be included in a contract for the sale of a unit of the condominium; requiring a seller of a unit of the condominium to provide a specified disclosure summary to a purchaser; providing that a multiple parcel building is not a subdivision of land if the land is not subdivided; amending ss. 718.503 and 718.504, F.S.; requiring certain persons to provide specified disclosures to purchasers under certain circumstances; making technical changes; providing for retroactive applicability; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Judiciary; and Senator Bradley—

CS for SB 10—A bill to be entitled An act for the relief of Julia Perez by the St. Johns County Sheriff's Office; providing for an appropriation to compensate Julia Perez for personal injuries and damages sustained as a result of the negligence of an employee of the St. Johns County Sheriff's Office; providing legislative intent for the waiver of certain lien interests; providing a limitation on compensation and the payment of attorney fees; providing an effective date.

—was referred to the Committee on Rules.

By the Committee on Judiciary; and Senator Bradley—

CS for SB 484—A bill to be entitled An act relating to flood disclosure in the sale of real property; creating s. 689.302, F.S.; requiring a seller of residential real property to provide specified information to a prospective purchaser at or before the sales contract is executed; spec-

ifying how such information must be disclosed; providing an effective date.

—was referred to the Committees on Fiscal Policy; and Rules.

By the Committee on Judiciary; and Senators Pizzo and Book—

CS for SB 528—A bill to be entitled An act relating to public records; amending s. 696.031, F.S.; providing an exemption from public records requirements for certain information provided to a property appraiser as part of a title fraud prevention pilot program; providing for future legislative review and repeal; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Fiscal Policy; and Rules.

By the Committee on Regulated Industries; and Senator Burgess—

CS for SB 574—A bill to be entitled An act relating to in-store servicing of alcoholic beverages; amending s. 561.424, F.S.; conforming provisions to changes made by the act; creating s. 561.425, F.S.; authorizing the in-store servicing of distilled spirits sold by a distributor to a vendor; defining the term "in-store servicing"; providing an effective date.

—was referred to the Committee on Rules.

By the Committee on Judiciary; and Senator Hutson—

CS for SB 720—A bill to be entitled An act relating to asbestos and silica claims; amending s. 774.205, F.S.; revising the information required to be included in a sworn information form for asbestos or silica claims filed after a specified date; specifying that such a form is inadmissible in evidence, and may not be relied upon by a witness, at trial; requiring courts to dismiss certain claims upon a motion by a defendant; requiring motions to dismiss to include certain certifications; providing an effective date.

—was referred to the Committee on Rules.

By the Committee on Regulated Industries; and Senator Bradley—

CS for SB 1040—A bill to be entitled An act relating to veterinary practices; amending s. 474.202, F.S.; defining the term "veterinary telehealth"; creating s. 474.2021, F.S.; providing a short title; authorizing licensed veterinarians to practice veterinary telehealth in accordance with specified criteria; specifying the powers of the Board of Veterinary Medicine related to the practice of telehealth; specifying the conditions under which a veterinarian may practice veterinary telehealth; specifying the drugs a veterinarian practicing telehealth may not provide under specified circumstances; providing specific authorizations for cases where a patient is a food-producing species; amending s. 474.2165, F.S.; conforming a provision to changes made by the act; amending s. 828.30, F.S.; authorizing certain persons to administer rabies vaccinations to certain animals under indirect supervision of a veterinarian; providing that a supervising veterinarian assumes responsibility for specified people who provide vaccinations; defining the term "indirect supervision"; amending ss. 474.203, 767.16, and 828.29, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Fiscal Policy; and Rules.

By the Committee on Regulated Industries; and Senators Trumbull and Bradley—

CS for SB 1134—A bill to be entitled An act relating to individual wine containers; amending s. 564.05, F.S.; revising an exception to the maximum allowable capacity for an individual container of wine sold in this state; providing an effective date.

—was referred to the Committee on Rules.

By the Committee on Judiciary; and Senator Berman—

CS for SB 1316—A bill to be entitled An act relating to the Florida Uniform Fiduciary Income and Principal Act; amending s. 738.101, F.S.; revising a short title; amending s. 738.102, F.S.; revising and providing definitions governing ch. 738, F.S.; amending s. 738.103, F.S.; specifying the scope of ch. 738, F.S.; amending s. 738.104, F.S.; specifying circumstances under which ch. 738, F.S., applies to a trust; repealing s. 738.1041, F.S., relating to total return unitrusts; repealing s. 738.105, F.S., relating to judicial control of discretionary powers; amending s. 738.201, F.S.; specifying the duties of a fiduciary; providing that a fiduciary's allocation, determination, or exercise of discretion is presumed to be fair and reasonable to all beneficiaries; requiring a fiduciary to take specified actions; authorizing a fiduciary to exercise discretionary power of administration under specified circumstances; requiring the fiduciary to consider specified factors before exercising such discretionary power; providing for applicability; amending s. 738.202, F.S.; defining the term "fiduciary decision"; prohibiting a court from ordering a fiduciary to change his or her decision unless the decision was an abuse of discretionary power; prohibiting a court from determining that a fiduciary abused its discretion under specified conditions; authorizing a court to order a specified remedy; authorizing a court to determine whether a proposed fiduciary decision will result in an abuse of discretion; providing that a beneficiary who opposes a proposed decision has the burden to establish that such decision is an abuse of discretion; requiring that any attorney fees incurred in defending an action related to the abuse of a fiduciary's discretion be paid from trust assets; creating s. 738.203, F.S.; authorizing a fiduciary to adjust between income and principal if such adjustment assists in administering the trust or estate impartially; providing construction; providing that a fiduciary is not liable to another for an adjustment, or failure to adjust, between income and principal made in good faith; requiring a fiduciary to consider certain relevant factors when considering such adjustment; prohibiting a fiduciary from exercising or considering such adjustment if certain conditions exist; revising applicability; authorizing a fiduciary to release or delegate to a cofiduciary specified powers to adjust under specified conditions; providing requirements and powers for any such releases and delegations; providing applicability; requiring that the description of an exercise of the power to adjust between income and principal contain specified information; amending s. 738.301, F.S.; defining terms; amending s. 738.302, F.S.; specifying applicability of specified provisions; authorizing the conversion of an income trust to a unitrust; restricting provisions to trusts that are beneficiaries of an estate; providing construction; providing that a fiduciary acting in good faith is not liable to a person affected by a certain action or inaction; amending s. 738.303, F.S.; specifying the authority of a fiduciary with respect to the administration of certain trusts; providing the circumstances under which a fiduciary may perform such actions; authorizing a beneficiary or a fiduciary to request the court to allow the beneficiary or fiduciary to take a specified action; requiring a fiduciary to inform specified persons of a decision to take action; authorizing a beneficiary to request a court to direct the fiduciary to take the requested action under specified circumstances; requiring fiduciaries to consider specified factors before taking a certain action; authorizing a fiduciary to release or delegate the power to take certain actions; creating s. 738.304, F.S.; requiring a certain notice to be sent to specified parties; providing applicability; authorizing a person to consent to a specified action in a record; providing that such person does not need to be sent notice of such action; providing requirements for such notices; creating s. 738.305, F.S.; requiring a fiduciary of a unitrust to follow a certain policy; providing rules for a unitrust policy; providing additional actions a unitrust policy may contain; creating s. 738.306, F.S.; requiring a unitrust rate to be within a specified range; authorizing a unitrust policy to provide for specified limits within such range; requiring a fiduciary who is a non-independent person to use a specified unitrust rate; creating s. 738.307, F.S.; requiring a unitrust policy to provide a specified method for determining fair market value of an asset in determining a unitrust amount; authorizing specified unitrust policies to provide methods for determining a certain net fair market value; prohibiting certain property from being included in the determination of the value of a trust; creating s. 738.308, F.S.; requiring a unitrust policy to provide a specified period; specifying that such period must be a calendar year; authorizing a unitrust policy to provide certain

standards for periods; creating s. 738.309, F.S.; providing applicability; authorizing a trustee of an express unitrust to determine the unitrust amount by reference to the net fair market value of the unitrust's assets in a specified timeframe; providing that distribution of a unitrust amount is considered a distribution of all the net income of an express unitrust and is considered an income interest; specifying that the unitrust amount is considered a reasonable apportionment of the total return of the express unitrust; providing that an express unitrust that allows a distribution in excess of a specified unitrust rate is considered a distribution of all of the income of the unitrust; authorizing an express unitrust to provide a mechanism for changing the unitrust rate and for conversion from a unitrust to an income trust or from an income trust to a unitrust; specifying that unless an express unitrust prohibits the power to change the rate or convert the trust, the trustee has such power; authorizing the governing instrument of an express unitrust to grant the trustee discretion to adopt a certain practice; specifying that unless an express unitrust provides otherwise, the distribution of an amount is considered a distribution from specified sources in a specified order of priority; authorizing a governing instrument of an express unitrust to allow exclusion of specified assets; providing that the use of such assets may be considered equivalent to income or to the unitrust amount; creating s. 738.310, F.S.; requiring a trustee, after the conversion of an income trust to a unitrust, to consider the unitrust amount paid from certain sources in a specified order of priority; amending s. 738.401, F.S.; defining and revising terms; specifying that an attribute or action of an entity includes an attribute or action from any other entity in which the initial entity has an ownership interest or holds another interest; requiring a fiduciary to allocate certain money and tangible personal property to income; requiring a fiduciary to allocate specified property and money to principal; providing that certain money received in an entity distribution is a capital distribution in specified circumstances; specifying that in cases of capital distribution, the amount received in an entity distribution must be reduced to the extent that cumulative distributions from the entity to the fiduciary are within certain ranges; authorizing a fiduciary to consider additional information before deciding to make or change a decision to make a payment to a beneficiary; providing that if a fiduciary receives specified additional information after a distribution to a beneficiary, the fiduciary is not required to change or recover the payment; authorizing a fiduciary in such a situation to exercise other specified powers; revising definitions; requiring a fiduciary to allocate certain money and property to principal; providing the mechanism for such allocation; defining the term "public entity"; conforming provisions to changes made by the act; amending s. 738.402, F.S.; conforming provisions to changes made by the act; amending s. 738.403, F.S.; providing applicability; authorizing a fiduciary to make certain determinations separately and differently from the decisions concerning distributions of income or principal; conforming provisions to changes made by the act; making technical changes; creating s. 738.404, F.S.; specifying receipts that a fiduciary must allocate to principal; creating s. 738.405, F.S.; providing for the allocation of income from rental property; creating s. 738.406, F.S.; specifying applicability; requiring a fiduciary to allocate to income certain amounts received as interest; requiring a fiduciary to allocate to income increments in value of certain bonds or other obligations; creating s. 738.407, F.S.; specifying applicability; requiring a fiduciary to allocate proceeds from insurance policies or contracts to principal in a specified manner; creating s. 738.408, F.S.; specifying circumstances under which a fiduciary may allocate an insubstantial allocation to principal, subject to certain conditions and limitations; creating s. 738.409, F.S.; defining terms; specifying the manner in which a fiduciary may determine incomes of separate funds; providing duties of a fiduciary of a marital trust and other trusts; requiring a fiduciary of a nonseparate fund to calculate internal income in a specified manner; providing construction; transferring, renumbering, and amending s. 738.603, F.S.; revising the definition of the term "liquidating asset"; providing applicability; requiring a fiduciary to allocate to income and principal the receipts produced by liquidating assets in a certain manner; transferring, renumbering, and amending s. 738.604, F.S.; requiring a fiduciary to allocate the receipts from interests in minerals, water, or other natural resources to income, principal, or between income and principal under specified conditions; revising applicability; providing that an allocation between income and principal from a receipt from a natural resource is presumed equitable under a specified condition;

providing construction; transferring, renumbering, and amending s. 738.605, F.S.; requiring a fiduciary to allocate receipts from timber to income, principal, or between income and principal under specified conditions; revising applicability; transferring, renumbering, and amending s. 738.606, F.S.; authorizing a settlor's spouse to require the trustee of a trust that receives certain property to make such property produce income under specified conditions; authorizing the trustee to take specified actions if directed by such spouse; providing that the trustee decides whether to take one or a combination of such actions; revising applicability; providing construction; transferring, renumbering, and amending s. 738.607, F.S.; revising the definition of the term "derivative"; requiring a fiduciary to allocate specified percentages of certain receipts and disbursements to income and allocate the balance to principal; providing construction; requiring certain fiduciaries to allocate a specified percentage to income and allocate the balance to principal of certain amounts; transferring, renumbering, and amending s. 738.608, F.S.; requiring a fiduciary to allocate to income a receipt from or related to asset-backed securities under a specified condition; requiring a fiduciary to allocate to income a specified percentage of receipts from the transaction and the disbursement of a payment received as a result of an interest in an asset-backed security; conforming provisions to changes made by the act; creating s. 738.416, F.S.; requiring a fiduciary to make specified allocations from receipts from other financial instruments or arrangements; providing construction; amending s. 738.501, F.S.; specifying the manner by which a fiduciary must make disbursements from income; amending s. 738.502, F.S.; specifying the manner by which a fiduciary must make disbursements from principal; amending s. 738.503, F.S.; defining the term "depreciation"; specifying the manner by which a fiduciary may make transfers from income to principal to account for depreciation; amending s. 738.504, F.S.; specifying the manner by which a fiduciary may make transfers from principal to income for reimbursements; transferring, renumbering, and amending s. 738.704, F.S.; providing that a fiduciary that makes or expects to make a certain principal disbursement may transfer an appropriate amount from income to principal in one or more accounting periods; providing applicability; making technical changes; deleting a provision relating to payments necessary to avoid defaulting on a mortgage or security interest on certain property; transferring, renumbering, and amending s. 738.705, F.S.; revising the sources from which a fiduciary must pay a tax required by a share of an entity's taxable income; requiring a fiduciary to adjust income or principal receipts if the taxes paid are reduced due to a deduction for a payment made to a beneficiary; providing construction; making technical changes; transferring, renumbering, and amending s. 738.706, F.S.; revising the circumstances under which a fiduciary may make adjustments between income and principal to offset shifts in the economic interests or tax benefits of specified beneficiaries; requiring a fiduciary to charge a beneficiary to reimburse the principal if the beneficiary benefits from an applicable tax deduction; requiring the share of reimbursement for each fiduciary or beneficiary to be the same as its share of the decrease in income tax; authorizing such fiduciary to charge a beneficiary to offset the estate tax by obtaining payment from the beneficiary, withholding an amount from future distributions, or adopting another method or combination of methods; creating s. 738.508, F.S.; defining terms; specifying the manner by which property expenses are apportioned between a tenant and remainderman; providing applicability and construction; amending s. 738.601, F.S.; providing applicability; specifying the manner by which a fiduciary determines and distributes net income; providing circumstances under which a fiduciary may not reduce certain principal or income receipts; amending s. 738.602, F.S.; providing that certain beneficiaries of non-unitrusts are entitled to receive a specified share of net income; providing that certain requirements apply in determining a beneficiary's share of net income; providing construction; amending s. 738.701, F.S.; providing that an income beneficiary is entitled to net income when an asset is subject to a certain trust or successive interest; providing that an asset becomes subject to a specified trust on certain dates; amending s. 738.702, F.S.; specifying the manner by which a fiduciary allocates certain receipts and makes disbursements when a decedent dies or income interest begins; providing construction; amending s. 738.703, F.S.; defining the term "undistributed income"; specifying the manner by which a fiduciary makes allocations of undistributed income when income interest ends; amending s. 738.801, F.S.; providing for uniform application and con-

struction of the act; amending s. 738.802, F.S.; providing construction in relation to federal law; amending s. 738.803, F.S.; making a technical change; amending s. 738.804, F.S.; revising application of ch. 738, F.S., to conform to changes made by the act; providing an effective date.

—was referred to the Committee on Rules.

By the Committee on Judiciary; and Senator Martin—

CS for SB 1530—A bill to be entitled An act relating to unauthorized public camping and public sleeping; creating ss. 125.0231 and 166.0453, F.S.; defining the terms "public camping" and "public sleeping"; prohibiting counties and municipalities, respectively, from authorizing or otherwise permitting public sleeping or public camping on public property without a specified permit; authorizing counties and municipalities to designate certain public property for such purpose for a specified time period; requiring counties and municipalities to establish specified standards and procedures relating to such property; requiring a county to take certain action within 30 days after designating property as authorized; requiring the Department of Children and Families to conduct inspections of such property at specified intervals and to produce a report; providing an exemption from certain requirements for a fiscally constrained county or municipality; providing a cause of action for a resident or business owner in a county or municipality; requiring an application for injunction be accompanied by an affidavit attesting specified information; providing an exception to applicability during specified emergencies; providing a declaration of important state interest; providing an effective date.

—was referred to the Committee on Fiscal Policy.

By the Committee on Judiciary; and Senator Calatayud—

CS for SB 1616—A bill to be entitled An act relating to electronic access to official records; amending s. 28.2221, F.S.; requiring the clerk of the court to make certain information available in a searchable database on the clerk's official website; making technical changes; providing an effective date.

—was referred to the Committee on Appropriations.

By the Committee on Judiciary; and Senator Brodeur—

CS for SB 1780—A bill to be entitled An act relating to defamation, false light, and unauthorized publication of name or likenesses; amending s. 770.02, F.S.; requiring that certain articles or broadcasts be removed from the Internet within a specified period to limit damages for defamation; amending s. 770.04, F.S.; providing persons in certain positions relating to newspapers with immunity for defamation if such persons exercise due care to prevent publication or utterance of such a statement; requiring removal of defamatory statements from the Internet in certain circumstances; amending s. 770.05, F.S.; defining the term "defamation or privacy tort"; providing venue for damages for a defamation or privacy tort based on material broadcast over radio or television; providing venue for damages for a defamation or privacy tort based on material published, exhibited, or uttered on the Internet; creating s. 770.107, F.S.; requiring the court to conduct an evidentiary hearing upon motion by any party to a cause of action; specifying determinations to be made on such a motion; providing the timeframe for a hearing on such motions; limiting the court's review of such a motion; specifying that a certain finding may not be made in ruling on such a motion; requiring the court to assess against the nonprevailing party reasonable attorney fees and costs for such hearing; providing applicability; creating s. 770.11, F.S.; providing a rebuttable presumption that a publisher of a false statement acted with actual malice in certain circumstances; creating s. 770.15, F.S.; defining the term "artificial intelligence"; providing that a person who uses artificial intelligence to create or edit any form of media in a certain manner is subject to liability in certain circumstances; incorporating certain standards; reenacting ss. 770.06, 770.07, and 770.08, F.S., relating to adverse judgment in any jurisdiction as a bar to additional action, cause of action and time of accrual, and limitation on recovery of damages, respectively,

to incorporate the amendment made to s. 770.05, F.S., in references thereto; providing for severability; providing an effective date.

—was referred to the Committee on Fiscal Policy.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of February 1 and February 6 were corrected and approved.

CO-INTRODUCERS

Senators Book—SB 62, CS for SB 350, SB 1522, CS for CS for SB 1758; Collins—CS for SB 632; Gruters—SB 68; Hooper—CS for SB 808; Pizzo—SB 1522; Stewart—SB 932; Torres—SB 694

ADJOURNMENT

On motion by Senator Mayfield, the Senate adjourned at 11:33 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 4:00 p.m., Thursday, February 8 or upon call of the President.

JOURNAL OF THE SENATE

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February 7, 2024

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BP — Bill Passed
CO — Co-Introducers
CR — Committee Report
CS — Committee Substitute, First Reading

FR — First Reading
MO — Motion
RC — Reference Change
SM — Special Master Reports
SO — Bills on Special Orders

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