Journal of the Senate

Number 25—Regular Session **Thursday, March 7, 2024**

CONTENTS

CALL TO ORDER

The Senate was called to order by President Passidomo at 10:00 a.m. A quorum present—39:

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

Excused: Senator Jones at 5:49 p.m.

PRAYER

The following prayer was offered by Reverend Kyle Peddie, Corinth Baptist Church, Hosford:

Heavenly Father, we come to you this beautiful spring morning to pause and give thanks to the giver of life, the King of Kings, the Lord of Lords, Creator, and Savior. We pause to give thanks for the day that you have made, and we will rejoice and be glad in it.

I ask, Father, that you would bless this day as our Florida Senate convenes and continues to do the work for the people of Florida. lt has indeed been a great session once again, and as it ever draws near to the end, I would humbly ask you to continue to impart wisdom and discernment to the Senators in this great chamber. Many have served here in the past and have established a tradition of integrity and statesmanship that continues with the ones serving today. May the attitude of everyone in public service, from the Governor to the school volunteer in the smallest community, be that of truly loving our neighbor as we love ourselves. Lord, you tell us in your word to pray for those in leadership over us. So, today we pray also for Governor Ron DeSantis, Senator Rick Scott, Senator Marco Rubio, and we pray for our President, Joe Biden. Help us today to be quicker to talk to you about them, than to talk to others about them. God bless the Florida House, the U.S. Congress, and especially today, the Florida Senate. I would ask you to bless each and every Senator's family, their marriage, children, and extended family while they are away from home serving in this chamber today. May your hedge of protection be upon them. Don't let the devil ever get a foothold in their personal life or their thought life as they lead our great state. As they work today and for the rest of the session, may your will be done.

We believe in the risen Lord, the finished work of the cross, and John 14:6 that says you are the way, the truth, and the life. Bless all the Senators today, bless Senate President Passidomo as she leads, and bless my senator, Senator Simon. Amen.

PLEDGE

Senate Pages, Gray Burleson of Tallahassee; Amiah Davis of Miami; and Joshua Reynolds of Gulf Breeze, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

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

March 7, 2024

Dear President Passidomo:

The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

Office and Appointment		*For Term Ending*
Board of Directors, Florida High School Athletic Association		
Appointees:	Bayliss, Sara	08/21/2026
	Bell, Richard W.	08/21/2026
	Colucci, Monica	08/21/2026
	Ford, A. Jermaine	08/21/2026
	Norton, Jim	08/21/2026
	Selvidio, Paul	08/21/2026
	Shirley, Richard "Allen"	08/21/2026
	Tamargo, Alejandro	08/21/2026
Board of Athletic Training		
Appointees:	McDougal, Billy J.	10/31/2026
	Narson, Todd M.	10/31/2025
Barbers' Board		
Appointees:	Schwartz, Mitchell	10/31/2025
	Vargas, Hugo	10/31/2026
Florida Athletic Commission		
Appointees:	Mallare-Pike, Christina Marie	09/30/2027
	Nuñez, Adrian	09/30/2027
Florida Building Code Administrators and Inspectors Board		
Appointees:	Novick, Jared	10/31/2024
	Scott, Jerry A.	10/31/2025

Office and Appointment		*For Term Ending*
Florida Building Commission		
Appointees:	Bourre, Michael	01/21/2027
	Compton, David L.	01/13/2025
	Swope, Brian	05/01/2027
Regulatory Council of Community Association Managers		
Appointees:	Barineau, Robyn R.	10/31/2026
	Bell, Deborah	10/31/2024
	Pyott, Gary Lee	10/31/2024
	Warren, Dawn	10/31/2025
Florida Commission on Community Service		
Appointees:	Brodeur, Christina	09/14/2025
	Dew, Gina Evans	09/14/2026
	Edwards, Stefanie Ink	09/14/2025
	Hays, Jessica	09/14/2025
	Killinger, Lori	09/14/2025
	Roberts, Wilson D.	09/14/2025
Board of Trustees of Florida SouthWestern State College		
Appointees:	Heuser, Kristina	05/31/2026
	Martin, Eviana J.	05/31/2024
	Murphy, Denise	05/31/2025
	Patak, Tyler F.	05/31/2026
	Swinto, Lisa Maria Metcalfe	05/31/2025
Board of Trustees of The College of the Florida Keys		
Appointee:	Suarez, Alexandria	05/31/2025
Board of Trustees of Florida Gateway College		
Appointees:	Brannan, Robert C., III	05/31/2027
	Crawford, John David	05/31/2025
	Medina, John A.	05/31/2027
	Norris, Suzanne M.	05/31/2025
Board of Trustees of Miami-Dade College		
Appointees:	Alonso, Roberto Jose	05/31/2026
	Felipe, Marcell	05/31/2026
Board of Trustees of Northwest Florida State College		
Appointees:	Fosdyck, Cory J.	05/31/2025
	Goff, Kristen Rhea	05/31/2027
	Harrison, Megan	05/31/2026
	Litke, Donald P.	05/31/2027
	Wright, Thomas B.	05/31/2025
Board of Trustees of Pasco-Hernando State College		
Appointees:	Harrington, Jeffrey E.	05/31/2027
	Maggard, Lee	05/31/2026
	Mitten, John Richard	05/31/2027
	Newlon, Nicole Deese	05/31/2026
	Schulkowski, Rebecca	05/31/2026
Board of Trustees of Polk State College		
Appointees:	Barnett, Ashley B.	05/31/2027
	Barnhart, Ann M.	05/31/2025
	Littleton, Gregory A.	05/31/2027
	Ross, Cynthia Hartley	05/31/2025
	Troutman, Ashley C.	05/31/2025
Florida Development Finance Corporation		
Appointee:	Panepinto, Robert	05/02/2027
Education Practices Commission		
Appointees:	Holley, Timothy	09/30/2027
	Innerst, Lisa	09/30/2024
	Jackson, Deelah	09/30/2025
	Lewis, Mason R.	09/30/2025
	Snyder, Marc	09/30/2026
	Thomas, Malcolm A.	09/30/2027
Florida Elections Commission, Chair		
Appointee:	Mizelle, Chad	01/05/2027
Florida Elections Commission		
Appointees:	Hayes, John Martin	12/31/2024
	Joyce, Richard F.	12/31/2027
	Smith, Kymberlee C.	12/31/2024
Commission on Ethics		
Appointees:	Fuste, Luis M.	06/30/2025
	Lukis, Ashley	06/30/2025
Greater Miami Expressway Agency		
Appointee:	Cancio-Johnson, Mariana "Marili"	07/03/2027
Board of Hearing Aid Specialists		
Appointees:	Bennett, Jeremy	10/31/2025
	Gibson, Brian	10/31/2025
	Mahan, Jacob	10/31/2026
Florida Housing Finance Corporation		
Appointee:	Hoblit, Olivia Romal	11/13/2024
Juvenile Welfare Board of Pinellas County		
Appointees:	Aungst, Brian J., Jr.	08/07/2026
	Gnage, Ann Kristen Arrojo	08/07/2024
	Mikurak, Michael G.	07/17/2024
	Millican, James A.	08/11/2024
	Rutland, Melissa	08/10/2026
Governor's Mansion Commission		
Appointees:	Diaz, Jennifer	09/30/2025
	Mica, Mary	09/30/2027
	Ross, Ashley	09/30/2026
	Weida, Kyley	09/30/2024
National Conference of Commissioners on Uniform State Laws		
Appointees:	Flower, Gary P.	06/05/2027
	Levesque, George T.	06/05/2027
	Rubottom, Donald Jay	06/05/2027
Board of Physical Therapy Practice		
Appointees:	Donald, Ellen Kroog	10/31/2024
	Kleponis, Paul	10/31/2025
	Matthews, Rebecca	10/31/2027
	Morgan, Michele I.	10/31/2025
Board of Pilot Commissioners		
Appointees:	Darienzo, Eric	10/31/2024
	LaMarca, Eileen M.	10/31/2026
Florida Prepaid College Board		
Appointee:	Rood, John Darrell	06/30/2026
State Retirement Commission		
Appointee:	Manalo, Jonathan	12/31/2027
Board of Directors, Space Florida		
Appointees:	Bocchino, Matthew	09/30/2025
	Cruise, Rodney	09/30/2027
	Daniels, Jonathan T.	09/30/2025
	Daugherty, Kevin	09/30/2026
	Hosseini, Mori	09/30/2027
	Lambert, Alexis	09/30/2026
	Satter, Jonathan R.	09/30/2027
	Thibault, Kevin J.	09/30/2027
Chair of the Board of Directors, Space Florida		
Appointee:	Nuñez, Jeanette M.	09/30/2027
Board of Professional Surveyors and Mappers		
Appointee:	Hall, Iarelis Diaz	10/31/2027
Board of Supervisors of the Central Florida Tourism Oversight District		
Appointee:	Barakat, Charbel J.	02/26/2027

Office and Appointment		*For Term Ending*
Reemployment Assistance Appeals Commission		
Appointee:	Epsky, Thomas D.	06/30/2027
Big Cypress Basin Board of the South Florida Water Management District		
Appointees:	Hill, Andrew	03/01/2026
	McLeod, Michelle	03/01/2027
	Romano, Michael M., II	03/01/2025
	Smith, Patricia "P.J."	03/01/2027
	Waters, Dan	03/01/2026

The following executive appointment was referred to the Senate Committee on Commerce and Tourism and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

Office and Appointment		*For Term Ending*
Secretary of Commerce		
Appointee:	Kelly, James Alexander	Pleasure of Governor

The following executive appointment was referred to the Senate Committee on Criminal Justice and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

Office and Appointment		*For Term Ending*
Florida Commission on Offender Review		
Appointee:	Wyant, David A.	06/30/2028

The following executive appointments were referred to the Senate Committee on Governmental Oversight and Accountability and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

Office and Appointment		*For Term Ending*
Investment Advisory Council		
Appointees:	Canida, Maria Teresa	12/12/2026
	Goetz, John P.	12/12/2026
	Jones, Kenneth	12/12/2027
	Olmstead, Vinny	02/01/2027

The following executive appointment was referred to the Senate Committee on Military and Veterans Affairs, Space, and Domestic Security and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

Office and Appointment		*For Term Ending*
Director, Florida State Guard		
Appointee:	Thieme, Mark A.	Pleasure of Governor

The following executive appointment was referred to the Senate Committee on Regulated Industries and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

Office and Appointment		*For Term Ending*
Florida Gaming Control Commission		
Appointee:	Repp, Tina	01/01/2026

The following executive appointments were referred to the Senate Committee on Environment and Natural Resources and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

Office and Appointment		*For Term Ending*
Fish and Wildlife Conservation Commission		
Appointee:	Farrior, Preston L.	01/06/2028
Executive Director, Fish and Wildlife Conservation Commission		
Appointee:	Young, Roger A.	Pleasure of Commission
Governing Board of the Northwest Florida Water Management District		
Appointees:	Alter, John W.	03/01/2027
	Andrews, Angus "Gus" G., Jr.	03/01/2027
Executive Director of Northwest Florida Water Management District		
Appointee:	Seigler, Robert	Pleasure of the Board
Governing Board of the St. Johns River Water Management District		
Appointees:	Atwood, Ryan	03/01/2027
	Howse, Ronald S.	03/01/2027
	Peterson, J. Christian, Jr.	03/01/2027
Executive Director of St. Johns River Water Management District		
Appointee:	Register, Michael	Pleasure of the Board
Governing Board of the South Florida Water Management District		
Appointees:	Goss, Chauncey P., II	03/01/2027
	Steinle, John "Jay" P.	03/01/2027
	Wagner, Scott Andrew	03/01/2027
Executive Director of South Florida Water Management District		
Appointee:	Bartlett, Andrew "Drew"	Pleasure of the Board
Governing Board of the Southwest Florida Water Management District		
Appointees:	Barnett, Ashley B.	03/01/2027
	Rice, Kelly S.	03/01/2027
	Schleicher, Joel A.	03/01/2027
	Watkins, Nancy Hemmingway	03/01/2025
Executive Director of Southwest Florida Water Management District		
Appointee:	Armstrong, Brian J.	Pleasure of the Board
Governing Board of the Suwannee River Water Management District		
Appointees:	Lloyd, William	03/01/2027
	Schwab, Richard	03/01/2027
Executive Director of Suwannee River Water Management District		
Appointee:	Thomas, Hugh L.	Pleasure of the Board

The following executive appointments were referred to the Senate Committee on Education Pre-K -12 and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

Office and Appointment		*For Term Ending*
State Board of Education		
Appointees:	Garcia, Kelly	12/31/2025
	Magar, MaryLynn	12/31/2026
	Petty, Ryan B.	12/31/2026

The following executive appointments were referred to the Senate Committee on Education Postsecondary and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

Office and Appointment		*For Term Ending*
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		
Appointees:	Crossman, John M.	01/06/2026
	Figgers, Natlie G.	01/06/2026
	Gibbons, Deveron M.	01/06/2028
	White, Michael David, II	01/06/2028
Board of Trustees, Florida Atlantic University		
Appointee:	Paez, Pablo E.	01/06/2028
Board of Trustees, University of Central Florida		
Appointee:	Gaekwad, Digvijay "Danny"	01/06/2028
Board of Trustees, Florida State University		
Appointee:	Ballard, Kathryn S.	01/06/2028
Board of Trustees, Florida International University		
Appointees:	Gonzalez, Alan	01/06/2026
	Hondal, Francis	01/06/2025
	Yakubov, Yaffa	01/06/2026
Board of Trustees, New College of Florida		
Appointees:	Jacquot, Joe	01/06/2025
	Patterson, Donald	01/06/2026
Board of Trustees, Florida Polytechnic University		
Appointees:	Abbot, Dorian Schuyler	06/30/2025
	Hagen, Patrick	06/30/2028
	Otto, Clifford K.	06/30/2024
	Panuccio, Jesse	11/07/2027
	Shapiro, Ilya	06/30/2025
	Theis, Sidney Wayne	06/30/2027
Board of Trustees, University of Florida		
Appointee:	O'Keefe, Daniel T.	01/06/2028

As required by Rule 12.7, the committees conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the office indicated. In aid of such inquiry, the committees held public hearings which members of the public were invited to attend and to offer evidence concerning the qualifications, experience, and general suitability of the appointees. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the Senate Committee on Ethics and Elections and other referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), F.S.:

(1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;

(2) Senate action on said appointments be taken prior to the adjournment of the 2024 Regular Session; and

(3) there is no necessity known to the committees for the deliberations on said appointments to be held in executive session.

Respectfully submitted,
Danny Burgess, Chair

On motion by Senator Burgess, the report was adopted and the Senate confirmed the appointments identified in the foregoing report of the committee to the offices and for the terms indicated in accordance with the recommendation of the committee.

The vote was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Garcia

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 184, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

SB 184—A bill to be entitled An act relating to impeding, threatening, or harassing first responders; creating s. 843.31, F.S.; defining the terms "first responder" and "harass"; prohibiting a person, after receiving a warning not to approach from a first responder who is engaged in the lawful performance of a legal duty, from violating such warning and approaching or remaining within a specified distance of the first responder with specified intent; providing criminal penalties; providing an effective date.

House Amendment 3 (903751) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 843.31, Florida Statutes, is created to read:

843.31 Approaching a first responder with specified intent after a warning.—

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

(a) "First responder" includes a law enforcement officer as defined in s. 943.10(1), a correctional probation officer as defined in s. 943.10(3), a firefighter as defined in s. 784.07(1), and an emergency medical care provider as defined in s. 784.07(1).

(b) "Harass" means to willfully engage in a course of conduct directed at a first responder which intentionally causes substantial emotional distress in that first responder and serves no legitimate purpose.

(2)(a) It is unlawful for a person, after receiving a verbal warning not to approach from a person he or she knows or reasonably should know is a first responder, who is engaged in the lawful performance of a legal duty, to knowingly and willfully violate such warning and approach or remain within 25 feet of the first responder with the intent to:

1. Impede or interfere with the first responder's ability to perform such duty;

2. Threaten the first responder with physical harm; or

3. Harass the first responder.

(b) A person who violates this subsection commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 2. This act shall take effect January 1, 2025.

And the title is amended as follows:

Remove lines 3-4 and insert: first responders; creating s. 843.31, F.S.; providing definitions; prohibiting

On motion by Senator Avila, the Senate concurred in **House Amendment 3 (903751)**.

SB 184 passed, as amended, was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39

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

Nays—1

Powell

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 362, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for SB 362—A bill to be entitled An act relating to medical treatment under the Workers' Compensation Law; amending s. 440.13, F.S.; increasing limits on witness fees charged by certain witnesses; increasing maximum reimbursement allowances for physicians and surgical procedures; providing an effective date.

House Amendment 1 (034487)—Remove lines 27-32 and insert: chapter 458 or chapter 459 shall be *175* ~~110~~ percent of the reimbursement allowed by Medicare, using appropriate codes and modifiers or the medical reimbursement level adopted by the three-member panel as of January 1, 2003, whichever is greater.

(g) Maximum reimbursement for surgical procedures shall be *210* ~~140~~ percent of the reimbursement allowed by Medicare or the

On motion by Senator Bradley, the Senate concurred in **House Amendment 1 (034487)**.

CS for SB 362 passed, as amended, was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/SB 892, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for CS for CS for SB 892—A bill to be entitled An act relating to dental insurance claims; amending s. 627.6131, F.S.; prohibiting a contract between a health insurer and a dentist from containing certain restrictions on payment methods; requiring a health insurer to make certain notifications and obtain a dentist's consent before paying a claim to the dentist through electronic funds transfer; providing that the dentist's consent applies to the dentist's entire practice; requiring the dentist's consent to bear the signature of the dentist; specifying the form of such signature; prohibiting the insurer and dentist from requiring consent on a patient-by-patient basis; specifying the requirements of a certain notification; prohibiting a health insurer from charging a fee to transmit a payment to a dentist through Automated Clearing House (ACH) transfer unless the dentist has consented to such fee; providing applicability; authorizing the Office of Insurance Regulation of the Financial Services Commission to enforce certain provisions; authorizing the commission to adopt rules; prohibiting a health insurer from denying claims for procedures included in a prior authorization; providing exceptions; providing applicability; authorizing the office to enforce certain provisions; authorizing the commission to adopt rules; amending s. 636.032, F.S.; prohibiting a contract between a prepaid limited health service organization and a dentist from containing certain restrictions on payment methods; requiring the prepaid limited health service organization to make certain notifications and obtain a dentist's consent before paying a claim to the dentist through electronic funds transfer; providing that a dentist's consent applies to the dentist's entire practice; requiring the dentist's consent to bear the signature of the dentist; specifying the form of such signature; prohibiting the limited health service organization and dentist from requiring consent on a patient-by-patient basis; specifying the requirements of a certain notification; prohibiting a prepaid limited health service organization from charging a fee to transmit a payment to a dentist through ACH transfer unless the dentist has consented to such fee; providing applicability; authorizing the office to enforce certain provisions; authorizing the commission to adopt rules; amending s. 636.035, F.S.; prohibiting a prepaid limited health service organization from denying claims for procedures included in a prior authorization; providing exceptions; providing applicability; authorizing the office to enforce certain provisions; authorizing the commission to adopt rules; amending s. 641.315, F.S.; prohibiting a contract between a health maintenance organization and a dentist from containing certain restrictions on payment methods; requiring the health maintenance organization to make certain notifications and obtain a dentist's consent before paying a claim to the dentist through electronic funds transfer; providing that the dentist's consent applies to the dentist's entire practice; requiring the dentist's consent to bear the signature of the dentist; specifying the form of such signature; prohibiting the health maintenance organization and dentist from requiring consent on a patient-by-patient basis; specifying the requirements of a certain notification; prohibiting a health maintenance organization from charging a fee to transmit a payment to a dentist through ACH transfer unless the dentist has consented to such fee; providing applicability; authorizing the office to enforce certain provisions; authorizing the commission to adopt rules; prohibiting a health maintenance organization from denying claims for procedures included in a prior authorization; providing exceptions; providing applicability; authorizing the office to enforce certain provisions; authorizing the commission to adopt rules; providing an effective date.

House Amendment 1 (018011)—Remove lines 89-291 and insert:

(b) When a health insurer employs the method of claims payment to a dentist through electronic funds transfer, including, but not limited to, virtual credit card payment, the health insurer shall notify the dentist as provided in this paragraph and obtain the dentist's consent before employing the electronic funds transfer. The dentist's consent described in this paragraph applies to the dentist's entire practice. For the purpose of this paragraph, the dentist's consent, which may be given through e-mail, must bear the signature of the dentist. Such signature includes an electronic or digital signature if the form of signature is recognized as a valid signature under applicable federal law or state contract law or an act that demonstrates express consent, including, but not limited to, checking a box indicating consent. The insurer or dentist may not require that a dentist's consent as described in this paragraph be made on a patient-by-patient basis. The notification provided by the health insurer to the dentist must include all of the following:

1. The fees, if any, associated with the electronic funds transfer.

2. The available methods of payment of claims by the health insurer, with clear instructions to the dentist on how to select an alternative payment method.

(c) A health insurer that pays a claim to a dentist through Automated Clearing House transfer may not charge a fee solely to transmit the payment to the dentist unless the dentist has consented to the fee.

(d) This subsection applies to contracts delivered, issued, or renewed on or after January 1, 2025.

(e) The office has all rights and powers to enforce this subsection as provided by s. 624.307.

(f) The commission may adopt rules to implement this subsection.

(21)(a) A health insurer may not deny any claim subsequently submitted by a dentist licensed under chapter 466 for procedures specifically included in a prior authorization unless at least one of the following circumstances applies for each procedure denied:

1. Benefit limitations, such as annual maximums and frequency limitations not applicable at the time of the prior authorization, are reached subsequent to issuance of the prior authorization.

2. The documentation provided by the person submitting the claim fails to support the claim as originally authorized.

3. Subsequent to the issuance of the prior authorization, new procedures are provided to the patient or a change in the condition of the patient occurs such that the prior authorized procedure would no longer be considered medically necessary, based on the prevailing standard of care.

4. Subsequent to the issuance of the prior authorization, new procedures are provided to the patient or a change in the patient's condition occurs such that the prior authorized procedure would at that time have required disapproval pursuant to the terms and conditions for coverage under the patient's plan in effect at the time the prior authorization was issued.

5. The denial of the claim was due to one of the following:

a. Another payor is responsible for payment.

b. The dentist has already been paid for the procedures identified in the claim.

c. The claim was submitted fraudulently, or the prior authorization was based in whole or material part on erroneous information provided to the health insurer by the dentist, patient, or other person not related to the insurer.

d. The person receiving the procedure was not eligible to receive the procedure on the date of service.

e. The services were provided during the grace period established under s. 627.608 or applicable federal regulations, and the dental insurer notified the provider that the patient was in the grace period when the provider requested eligibility or enrollment verification from the dental insurer, if such request was made.

(b) This subsection applies to all contracts delivered, issued, or renewed on or after January 1, 2025.

(c) The office has all rights and powers to enforce this subsection as provided by s. 624.307.

(d) The commission may adopt rules to implement this subsection.

Section 2. Section 636.032, Florida Statutes, is amended to read:

636.032 Acceptable payments.—

(1) Each prepaid limited health service organization may accept from government agencies, corporations, groups, or individuals payments covering all or part of the cost of contracts entered into between the prepaid limited health service organization and its subscribers.

(2)(a) A contract between a prepaid limited health service organization and a dentist licensed under chapter 466 for the provision of services to a subscriber may not specify credit card payment as the only acceptable method for payments from the prepaid limited health service organization to the dentist.

(b) When a prepaid limited health service organization employs the method of claims payment to a dentist through electronic funds transfer, including, but not limited to, virtual credit card payment, the prepaid limited health service organization shall notify the dentist as provided in this paragraph and obtain the dentist's consent before employing the electronic funds transfer. The dentist's consent described in this paragraph applies to the dentist's entire practice. For the purpose of this paragraph, the dentist's consent, which may be given through e-mail, must bear the signature of the dentist. Such signature includes an electronic or digital signature if the form of signature is recognized as a valid signature under applicable federal law or state contract law or an act that demonstrates express consent, including, but not limited to, checking a box indicating consent. The prepaid limited health service organization or dentist may not require that a dentist's consent as described in this paragraph be made on a patient-by-patient basis. The notification provided by the prepaid limited health service organization to the dentist must include all of the following:

1. The fees, if any, that are associated with the electronic funds transfer.

2. The available methods of payment of claims by the prepaid limited health service organization, with clear instructions to the dentist on how to select an alternative payment method.

(c) A prepaid limited health service organization that pays a claim to a dentist through Automatic Clearing House transfer may not charge a fee solely to transmit the payment to the dentist unless the dentist has consented to the fee.

(d) This subsection applies to contracts delivered, issued, or renewed on or after January 1, 2025.

(e) The office has all rights and powers to enforce this subsection as provided by s. 624.307.

(f) The commission may adopt rules to implement this subsection.

Section 3. Subsection (15) is added to section 636.035, Florida Statutes, to read:

636.035 Provider arrangements.—

(15)(a) A prepaid limited health service organization may not deny any claim subsequently submitted by a dentist licensed under chapter 466 for procedures specifically included in a prior authorization unless at least one of the following circumstances applies for each procedure denied:

1. Benefit limitations, such as annual maximums and frequency limitations not applicable at the time of the prior authorization, are reached subsequent to issuance of the prior authorization.

2. The documentation provided by the person submitting the claim fails to support the claim as originally authorized.

3. Subsequent to the issuance of the prior authorization, new procedures are provided to the patient or a change in the condition of the patient occurs such that the prior authorized procedure would no longer be considered medically necessary, based on the prevailing standard of care.

4. Subsequent to the issuance of the prior authorization, new procedures are provided to the patient or a change in the patient's condition occurs such that the prior authorized procedure would at that time have required disapproval pursuant to the terms and conditions for coverage under the patient's plan in effect at the time the prior authorization was issued.

5. The denial of the dental service claim was due to one of the following:

a. Another payor is responsible for payment.

b. The dentist has already been paid for the procedures identified in the claim.

c. The claim was submitted fraudulently, or the prior authorization was based in whole or material part on erroneous information provided to the prepaid limited health service organization by the dentist, patient, or other person not related to the organization.

d. The person receiving the procedure was not eligible to receive the procedure on the date of service.

e. The services were provided during the grace period established under s. 627.608 or applicable federal regulations, and the dental insurer notified the provider that the patient was in the grace period when the provider requested eligibility or enrollment verification from the dental insurer, if such request was made.

(b) This subsection applies to all contracts delivered, issued, or renewed on or after January 1, 2025.

(c) The office has all rights and powers to enforce this subsection as provided by s. 624.307.

(d) The commission may adopt rules to implement this subsection.

Section 4. Subsections (13) and (14) are added to section 641.315, Florida Statutes, to read:

641.315 Provider contracts.—

(13)(a) A contract between a health maintenance organization and a dentist licensed under chapter 466 for the provision of services to a subscriber of the health maintenance organization may not specify credit card payment as the only acceptable method for payments from the health maintenance organization to the dentist.

(b) When a health maintenance organization employs the method of claims payment to a dentist through electronic funds transfer, including, but not limited to, virtual credit card payment, the health maintenance organization shall notify the dentist as provided in this paragraph and obtain the dentist's consent before employing the electronic funds transfer. The dentist's consent described in this paragraph applies to the dentist's entire practice. For the purpose of this paragraph, the dentist's consent, which may be given through e-mail, must bear the signature of the dentist. Such signature includes an electronic or digital signature if the form of signature is recognized as a valid signature under applicable federal law or state contract law or an act that demonstrates express consent, including, but not limited to, checking a box indicating consent. The health maintenance organization or dentist may not require that a dentist's consent as described in this paragraph be made on a patient-by-patient basis. The notification provided by the health maintenance organization to the dentist must include all of the following:

On motion by Senator Harrell, the Senate concurred in **House Amendment 1 (018011)**.

CS for CS for CS for SB 892 passed, as amended, was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Madam President	Davis	Pizzo
Albritton	DiCeglie	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

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/SB 1582, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for CS for CS for SB 1582—A bill to be entitled An act relating to the Department of Health; amending s. 381.0101, F.S.; defining the term "environmental health technician"; exempting environmental health technicians from certain certification requirements under certain circumstances; requiring the department, in conjunction with the Department of Environmental Protection, to adopt rules that establish certain standards for environmental health technician certification; requiring the Department of Health to adopt by rule certain standards for environmental health technician certification; revising provisions related to exemptions and fees to conform to changes made by the act; creating s. 381.991, F.S.; creating the Andrew John Anderson Pediatric Rare Disease Grant Program within the department for a specified purpose; subject to an appropriation by the Legislature, requiring the program to award grants for certain scientific and clinical research; specifying entities eligible to apply for the grants; specifying the types of applications that may be considered for grant funding; providing for a competitive, peer-reviewed application and selection process; providing that the remaining balance of appropriations for the program as of a specified date may be carried forward for a specified timeframe under certain circumstances; amending s. 383.14, F.S.; providing that any health care practitioner present at a birth or responsible for primary care during the neonatal period has the primary responsibility of administering certain screenings; defining the term "health care practitioner"; deleting identification and screening requirements for newborns and their families for certain environmental and health risk factors; deleting certain related duties of the department; revising the definition of the term "health care practitioner" to include licensed genetic counselors; requiring that blood specimens for screenings of newborns be collected before a specified age; requiring that newborns have a blood specimen collected for newborn screenings, rather than only a test for phenylketonuria, before a specified age; deleting certain rulemaking authority of the department; deleting a requirement that the department furnish certain forms to specified entities; deleting the requirement that such entities report the results of certain screenings to the department; making technical and conforming changes; deleting a requirement that the department submit certain certifications as part of its legislative budget request; requiring certain health care practitioners to prepare and send all newborn screening specimen cards to the State Public Health Laboratory; defining the term "health care practitioner"; amending s. 383.145, F.S.; defining the term "toddler"; revising hearing loss screening requirements to include infants and toddlers; revising hearing loss screening requirements for licensed birth centers; requiring licensed birth centers to complete newborn hearing loss screenings before discharge, with an exception; amending s. 383.147, F.S.; revising sickle cell disease and sickle cell trait screening requirements; requiring screening providers to notify a newborn's parent or guardian, rather than the newborn's primary care physician, of certain information; authorizing the parents or guardians of a newborn to opt

out of the newborn's inclusion in the sickle cell registry; specifying the manner in which a parent or guardian may opt out; authorizing certain persons other than newborns who have been identified as having sickle cell disease or carrying a sickle cell trait to choose to be included in the registry; creating s. 383.148, F.S.; requiring the department to promote the screening of pregnant women and infants for specified environmental risk factors; requiring the department to develop a multilevel screening process for prenatal and postnatal risk screenings; specifying requirements for such screening processes; providing construction; requiring persons who object to a screening to give a written statement of such objection to the physician or other person required to administer and report the screening; amending s. 1004.435, F.S.; revising the membership of the Florida Cancer Control and Research Advisory Council; revising quorum requirements for council actions; amending ss. 383.318, 395.1053, and 456.0496, F.S.; conforming cross-references; requiring the department to grant certain applicants 90 days to cure deficiencies with their medical marijuana treatment center license applications pursuant to a specified errors and omissions process; requiring the department to grant such applicants a marijuana treatment center license if they cure the deficiencies within the specified timeframe; providing construction; providing that the death of an applicant during the cure process may not be a reason to deny the application or any resulting legal challenge; requiring the department to issue the license to the estate of a deceased applicant in the event of a successful cure or legal challenge; providing effective dates.

House Amendment 1 (413719)—Remove lines 855-856 and insert: *sole remaining deficiency cited is:*

(a) A failure to meet the requirement in s. 381.986(8)(b)1., Florida Statutes; or

(b) The applicant died after March 25, 2022. In the case of the death of an applicant under this paragraph, the department must issue the license to the heirs of the applicant.

On motion by Senator Rodriguez, the Senate concurred in **House Amendment 1 (413719)**.

CS for CS for CS for SB 1582 passed, as amended, was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Madam President	Davis	Pizzo
Albritton	DiCeglie	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

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 7028, with 2 amendments, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

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.

House Amendment 1 (147775)—Remove line 254 and insert: *4.*~~5.~~ Secondary water *resistance* ~~barrier~~ for roof.

House Amendment 2 (206225)—Remove lines 406-420 and insert:

Section 2. *For the 2024-2025 fiscal year, the sum of $200 million in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Financial Services for the My Safe Florida Home Program. The funds shall be used for hurricane mitigation grants, hurricane mitigation inspections, and outreach and administrative costs. The department may not continue to accept applications or create a waiting list in anticipation of additional funding unless the Legislature expressly provides authority to implement such actions.*

On motion by Senator Boyd, the Senate concurred in **House Amendment 1 (147775)** and **House Amendment 2 (206225)**.

CS for SB 7028 passed, as amended, was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Madam President	Davis	Pizzo
Albritton	DiCeglie	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

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 7032, with 3 amendments, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for SB 7032—A bill to be entitled An act relating to education; creating s. 1004.933, F.S.; providing legislative intent; establishing the

Graduation Alternative to Traditional Education (GATE) Program within the Department of Education; providing definitions; requiring institutions to waive payments for specified student fees; providing eligibility requirements; providing that students participating in the program are eligible for a specified stipend under certain circumstances; prohibiting an institution from imposing additional eligibility requirements; providing department responsibilities; providing department reporting requirements; authorizing the State Board of Education to adopt rules; amending s. 445.009, F.S.; revising the services to which the one-stop delivery system is intended to provide access; amending s. 1003.21, F.S.; requiring a student's certified school counselor or other school personnel to inform the student of opportunities in the GATE Program; 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, including specified eligibility requirements; 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 specified student fees and costs; requiring participating institutions to report specified information to the department; requiring the department to reimburse participating institutions within a specified timeframe; providing that reimbursements are contingent upon legislative appropriation and must be prorated under certain circumstances; authorizing the state board to adopt rules; amending s. 1011.80, F.S.; revising the number of courses for which certain students may be reported for certain funding purposes; providing that such courses do not have to be core curricula courses; deleting a requirement that the department develop a list of courses to be designated as core curricula courses; creating s. 1011.804, F.S.; establishing the GATE Startup Grant Program within the department for a specified purpose; defining the term "institution"; providing eligibility requirements; providing department duties; providing requirements for grant proposals, grant awards, and the use of grant funds; providing reporting requirements; authorizing the state board to adopt rules; creating s. 1011.8041, F.S.; creating the GATE Program Performance Fund for a specified purpose; defining the term "institution"; subject to legislative appropriation, requiring each participating institution to receive a specified amount of money per student, subject to certain conditions; authorizing the state board to adopt rules; providing an effective date.

House Amendment 1 (616755) (with title amendment)—Remove line 102 and insert: *participating in the GATE Program. A waiver provided under this section after a student's first term shall be provided after state aid pursuant to s. 1009.895 is applied. Instructional materials*

And the title is amended as follows:

Remove line 7 and insert: for specified student fees; providing requirements for the provision of such waivers; providing eligibility

House Amendment 2 (089309) (with title amendment)—Between lines 254 and 255, insert:

Section 6. Paragraph (b) of subsection (2) of section 1009.895, Florida Statutes, is amended to read:

1009.895 Open Door Grant Program.—

(2) ELIGIBILITY.—In order to be eligible for the program, a student must:

(b) Be enrolled in *an adult secondary education program or* an integrated education and training program in which institutions establish partnerships with local workforce development boards to provide basic skills instruction, contextually and concurrently, with workforce training that results in the award of credentials under s. 445.004(4) or a workforce education program as defined under s. 1011.80(1)(b)-(f) that is included on the Master Credentials List under s. 445.004(4); and

An institution may not impose additional criteria to determine a student's eligibility to receive a grant under this section.

And the title is amended as follows:

Remove line 36 and insert: rules; amending s. 1009.895, F.S.; revising student eligibility criteria for the Open Door Grant Program; amending s. 1011.80, F.S.; revising the number

House Amendment 3 (133095)—Remove lines 373-376 and insert: *completes the GATE Program by earning a standard high school diploma or high school equivalency diploma and a credential on the Master Credentials List under s. 445.004(4) within 3 years. If the student earned his or her diploma and credential at different*

On motion by Senator Grall, the Senate concurred in **House Amendment 1 (616755)**, **House Amendment 2 (089309)**, and **House Amendment 3 (133095)**.

CS for SB 7032 passed, as amended, was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Madam President	Davis	Pizzo
Albritton	DiCeglie	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

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 556, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for CS for SB 556—A bill to be entitled An act relating to protection of specified adults; creating s. 415.10341, F.S.; defining terms; providing legislative findings and intent; authorizing financial institutions, under certain circumstances, to delay a disbursement or transaction from an account of a specified adult; specifying that a delay on a disbursement or transaction expires on a certain date; authorizing the financial institution to extend the delay under certain circumstances; authorizing a court of competent jurisdiction to shorten or extend the delay; providing construction; granting financial institutions immunity from certain liability; providing construction; requiring financial institutions to take certain actions before placing a delay on a disbursement or transaction; providing construction; providing an effective date.

House Amendment 1 (249405) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 415.10341, Florida Statutes, is created to read:

415.10341 Protection of specified adults.—

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

(a) "Financial exploitation" means the wrongful or unauthorized taking, withholding, appropriation, or use of money, assets, or property of an adult individual; or any act or omission by a person, including through the use of a power of attorney, guardianship, or conservatorship of an individual, to:

1. Obtain control over the individual's money, assets, or property through deception, intimidation, or undue influence to deprive him or her of the ownership, use, benefit, or possession of the money, assets, or property; or

2. Divert the individual's money, assets, or property to deprive him or her of the ownership, use, benefit, or possession of the money, assets, or property.

(b) "Financial institution" means a state financial institution or a federal financial institution as those terms are defined under s. 655.005(1).

(c) "Trusted contact" means a natural person 18 years of age or older whom the account owner has expressly identified and recorded in a financial institution's books and records as the person who may be contacted about the account.

(2) If a financial institution reports suspected financial exploitation of an individual pursuant to s. 415.1034, it may delay a disbursement or transaction from an account of the individual or an account for which the individual is a beneficiary or beneficial owner if all of the following apply:

(a) The financial institution immediately initiates an internal review of the facts and circumstances that caused an employee of the financial institution to report suspected financial exploitation.

(b) Not later than 3 business days after the date on which the delay was first placed, the financial institution:

1. Notifies in writing all parties authorized to transact business on the account and any trusted contact on the account, using the contact information provided for the account, with the exception of any party an employee of the financial institution reasonably believes has engaged in, is engaging in, has attempted to engage in, or will attempt to engage in the suspected financial exploitation of the individual. The notice, which may be provided electronically, must provide the reason for the delay.

2. Creates and maintains a written or an electronic record of the delayed disbursement or transaction that includes, at minimum, the following information:

a. The date on which the delay was first placed.

b. The name and address of the individual.

c. The business location of the financial institution.

d. The name and title of the employee who reported suspected financial exploitation of the individual pursuant to s. 415.1034.

e. The facts and circumstances that caused the employee to report suspected financial exploitation.

(3) The financial institution must maintain for at least 5 years after the date of a delayed disbursement or transaction a written or an electronic record of the information required in subparagraph (2)(b)2.

(4) A delay on a disbursement or transaction under subsection (2) expires 5 business days after the date on which the delay was first placed. However, the financial institution may extend the delay for up to 7 additional calendar days if the financial institution's review of the available facts and circumstances continues to support the reasonable belief that financial exploitation of the individual has occurred, is occurring, has been attempted, or will be attempted. The length of the delay may be shortened or extended at any time by a court of competent jurisdiction. This subsection does not prevent a financial institution from terminating a delay after communication with the parties authorized to transact business on the account and any trusted contact on the account.

(5) Before placing a delay on a disbursement or transaction pursuant to this section, a financial institution must do all of the following:

(a) Develop training policies or programs reasonably designed to educate employees on issues pertaining to financial exploitation of individuals.

(b) Conduct training for all employees at least annually and maintain a written record of all trainings conducted.

(c) Develop, maintain, and enforce written procedures regarding the manner in which suspected financial exploitation is reviewed internally, including, if applicable, the manner in which suspected financial exploitation is required to be reported to supervisory personnel.

(6) Absent a reasonable belief of financial exploitation as provided in this section, this section does not otherwise alter a financial institution's obligations to all parties authorized to transact business on an account and any trusted contact named on such account.

(7) This section does not create new rights for or impose new obligations on a financial institution under other applicable law.

Section 2. This act shall take effect July 1, 2024.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to protection of specified adults; creating s. 415.10341, F.S.; defining terms; authorizing financial institutions, under certain circumstances, to delay a disbursement or transaction from an account of a specified individual; requiring certain financial institutions to maintain specified information for a certain timeframe; specifying that a delay on a disbursement or transaction expires on a certain date; authorizing the financial institution to extend the delay under certain circumstances; authorizing a court of competent jurisdiction to shorten or extend the delay; requiring financial institutions to take certain actions before placing a delay on a disbursement or transaction; providing construction; providing an effective date.

On motion by Senator Rouson, the Senate refused to concur in **House Amendment 1 (249405)** to **CS for CS for SB 556** and the House was requested to recede. The action of the Senate was certified to the House.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1112, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for SB 1112—A bill to be entitled An act relating to health care practitioner titles and designations; amending s. 456.003, F.S.; revising legislative findings; creating s. 456.0651, F.S.; defining terms; providing that, for specified purposes, the use of specified titles or designations in connection with one's name constitutes the practice of medicine or the practice of osteopathic medicine; providing exceptions; providing construction; amending s. 456.072, F.S.; revising grounds for disciplinary action relating to a practitioner's use of such titles or designations in identifying himself or herself to patients or in advertisements for health care services; revising applicability; requiring certain health care practitioners to prominently display a copy of their license in a conspicuous area of their practice; requiring that the copy of the license be a specified size; requiring such health care practitioners to also verbally identify themselves in a specified manner to new patients; requiring, rather than authorizing, certain boards, or the Department of Health if there is no board, to adopt certain rules; providing an effective date.

House Amendment 1 (325533) (with title amendment)—Remove lines 27-219 and insert:

Section 1. Section 456.0651, Florida Statutes, is created to read:

456.0651 Health care practitioner titles and designations.—

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

(a) "Advertisement" means any printed, electronic, or oral statement that:

1. Is communicated or disseminated to the general public;

2.a. Is intended to encourage a person to use a practitioner's professional services or to promote those services or the practitioner in general; or

b. For commercial purposes, names a practitioner in connection with the practice, profession, or institution in which the practitioner is employed, volunteers, or provides health care services.

3. Is prepared, communicated, or disseminated under the control of the practitioner or with the practitioner's consent.

(b) "Educational degree" means the degree awarded to a practitioner by a college or university relating to the practitioner's profession or specialty designation which may be referenced in an advertisement by name or acronym.

(c) "Misleading, deceptive, or fraudulent representation" means any information that misrepresents or falsely describes a practitioner's profession, skills, training, expertise, educational degree, board certification, or licensure.

(d) "Practitioner" means a health care practitioner as defined in s. 456.001.

(e) "Profession," in addition to the meaning provided in s. 456.001, also means the name or title of a practitioner's profession that is regulated by the department in the Division of Medical Quality Assurance and which is allowed to be used by an individual due to his or her license, license by endorsement, certification, or registration issued by a board or the department. The term does not include a practitioner's license or educational degree.

(2) For purposes of this section and s. 456.065, in addition to the definition of "practice of medicine" in s. 458.305 and the definition of "practice of osteopathic medicine" in s. 459.003, the practice of medicine or osteopathic medicine also includes attaching to one's name, either alone or in combination, or in connection with other words, any of the following titles or designations, if used in an advertisement or in a manner that constitutes a misleading, deceptive, or fraudulent representation:

(a) Doctor of medicine.

(b) M.D.

(c) Doctor of osteopathy.

(d) D.O.

(e) Emergency physician.

(f) Family physician.

(g) Interventional pain physician.

(h) Medical doctor.

(i) Osteopath.

(j) Osteopathic physician.

(k) Doctor of osteopathic medicine.

(l) Surgeon.

(m) Neurosurgeon.

(n) General surgeon.

(o) Resident physician.

(p) Medical resident.

(q) Medical intern.

(r) Anesthesiologist.

(s) Cardiologist.

(t) Dermatologist.

(u) Endocrinologist.

(v) Gastroenterologist.

(w) Gynecologist.

(x) Hematologist.

(y) Hospitalist.

(z) Intensivist.

(aa) Internist.

(bb) Laryngologist.

(cc) Nephrologist.

(dd) Neurologist.

(ee) Obstetrician.

(ff) Oncologist.

(gg) Ophthalmologist.

(hh) Orthopedic surgeon.

(ii) Orthopedist.

(jj) Otologist.

(kk) Otolaryngologist.

(ll) Otorhinolaryngologist.

(mm) Pathologist.

(nn) Pediatrician.

(oo) Primary care physician.

(pp) Proctologist.

(qq) Psychiatrist.

(rr) Radiologist.

(ss) Rheumatologist.

(tt) Rhinologist.

(uu) Urologist.

(3) Notwithstanding subsection (2):

(a) A licensed practitioner may use the name or title of his or her profession which is authorized under his or her practice act, and any corresponding designations or initials so authorized, to describe himself or herself and his or her practice.

(b) A licensed practitioner who has a specialty area of practice authorized under his or her practice act may use the following format to identify himself or herself or describe his or her practice: "...(name or title of the practitioner's profession)..., specializing in ...(name of the practitioner's specialty)...."

(c) A chiropractic physician licensed under chapter 460 may use the titles "chiropractic physician," "doctor of chiropractic medicine," "chiropractic radiologist," and other titles, abbreviations, or designations authorized under his or her practice act or reflecting those chiropractic specialty areas in which the chiropractic physician has attained diplomate status as recognized by the American Chiropractic Association, the International Chiropractors Association, the International Academy of Clinical Neurology, or the International Chiropractic Pediatric Association.

(d) A podiatric physician licensed under chapter 461 may use the following titles and abbreviations as applicable to his or her license, specialty, and certification: "podiatric physician," "podiatric surgeon," "Fellow in the American College of Foot and Ankle Surgeons," and other titles or abbreviations authorized under his or her practice act.

(e) A dentist licensed under chapter 466 may use the following titles and abbreviations as applicable to his or her license, specialty, and certification: "doctor of medicine in dentistry," "doctor of dental medicine," "D.M.D.," "doctor of dental surgery," "D.D.S.," "oral surgeon," "maxillofacial surgeon," "oral and maxillofacial surgeon," "O.M.S.,"

"oral radiologist," "dental anesthesiologist," "oral pathologist," and other titles or abbreviations authorized under his or her practice act.

(f) An anesthesiologist assistant licensed under chapter 458 or chapter 459 may use only the titles "anesthesiologist assistant" or "certified anesthesiologist assistant" and the abbreviation "C.A.A."

(g) An optometrist licensed under chapter 463 may use the following titles and abbreviations as applicable to his or her license, specialty, and certification: "doctor of optometry," "optometric physician," and other titles or abbreviations authorized under his or her practice act.

Section 2. Paragraph (t) of subsection (1) of section 456.072, Florida Statutes, is amended to read:

456.072 Grounds for discipline; penalties; enforcement.—

(1) The following acts shall constitute grounds for which the disciplinary actions specified in subsection (2) may be taken:

(t)*1. A practitioner's failure, when treating or consulting with a patient,* ~~Failing~~ to identify through ~~written notice, which may include~~ the wearing of a name tag *the practitioner's name and profession, as defined in s. 456.0651*, ~~or orally to a patient the type of license~~ under which the practitioner is practicing. *The information on the name tag must be consistent with the specifications of s. 456.0651(2) such that it does not constitute the unlicensed practice of medicine or osteopathic medicine.*

2. The failure of any advertisement for health care services naming the practitioner *to* ~~must~~ identify the *profession, as defined in s. 456.0651, under which the practitioner is practicing and the practitioner's educational degree, as defined in s. 456.0651, in relation to the services featured in the advertisement* ~~type of license the practitioner holds~~.

3. Subparagraph 1. ~~This paragraph~~ does not apply to a practitioner while the practitioner is providing services in *his or her own office that houses his or her practice or group practice. In such a case, in lieu of a name tag, the practitioner must prominently display a copy of his or her license in a conspicuous area of the practice so that it is easily visible to patients. The copy of the license must be no smaller than the original license. The practitioner must also verbally identify himself or herself to*

And the title is amended as follows:

Remove lines 3-16 and insert: designations; creating s. 456.0651, F.S.; defining terms; providing that, for specified purposes, the use of specified titles or designations in connection with one's name constitutes the practice of medicine or the practice of osteopathic medicine; providing exceptions; amending s. 456.072, F.S.; revising grounds for disciplinary action relating to a practitioner's use of such titles or designations in identifying himself or herself to patients or in advertisements for health care services; revising applicability; requiring certain health care practitioners to prominently display copies of their licenses in a conspicuous area of their

On motion by Senator Harrell, the Senate refused to concur in **House Amendment 1 (325533)** to **CS for SB 1112** and the House was requested to recede. The action of the Senate was certified to the House.

By direction of the President, there being no objection, the Senate proceeded to—

SPECIAL ORDER CALENDAR

CS for CS for HB 165—A bill to be entitled An act relating to sampling of beach waters and public bathing spaces; amending s. 514.023, F.S.; requiring, rather than authorizing, the Department of Health to adopt and enforce certain rules; revising requirements for such rules; requiring, rather than authorizing, the Department of Health to issue certain health advisories; directing the department to require closure of beach waters and public bathing places under certain circumstances; requiring that such closures remain in effect for a specified period; requiring the department, municipalities and counties, and owners of public boat docks, marinas, and piers to provide certain notice; preempting the issuance of certain health advisories for public bathing places to the state; requiring the department to adopt by rule a health advisory sign; providing requirements for such sign; providing that municipalities and counties are responsible for posting and maintaining such signs around certain affected beach waters and public bathing places; providing that the Department of Environmental Protection is responsible for posting and maintaining such signs around certain affected beach waters and public bathing places; requiring the Department of Health to coordinate with the Department of Environmental Protection and the Fish and Wildlife Conservation Commission to implement signage requirements; providing an effective date.

—was read the second time by title. On motion by Senator Berman, by two-thirds vote, **CS for CS for HB 165** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

SPECIAL GUESTS

Senator Berman recognized Representatives Peggy Gossett-Seidman and Lindsay Cross, who were present in the chamber in support of CS for CS for HB 165, related to the Sampling of Beach Waters and Public Bathing Spaces.

HB 533—A bill to be entitled An act relating to DNA samples from inmates; requiring certain inmates to submit DNA samples; providing an effective date.

—was read the second time by title. On motion by Senator Ingoglia, by two-thirds vote, **HB 533** 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

HB 7043—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public records requirements for certain personal identifying and location information of specified agency per-

sonnel and the spouses and children thereof; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title. On motion by Senator Avila, by two-thirds vote, **HB 7043** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—1

Berman

CS for SB 7074—A bill to be entitled An act relating to taxation; amending s. 125.0104, F.S.; prohibiting a plan for tourist development from allocating more than a certain percentage of the tax revenue to a publicly owned and operated convention center for certain purposes, unless approved by a supermajority vote; amending s. 192.001, F.S.; revising the definition of the term "tangible personal property"; providing retroactive applicability; amending s. 192.0105, F.S.; providing that a taxpayer has a right to know certain information regarding property determined not to have been entitled to a homestead exemption; amending s. 193.155, F.S.; extending the timeframe for changes, additions, or improvements following damage or destruction of a homestead to commence for certain assessment requirements to apply; specifying the timeframes and the manner in which erroneous assessments of property must be corrected; prohibiting back taxes from being due for any year as a result of certain recalculations; deleting a calculation of back taxes; requiring property appraisers to include certain information with notices of tax liens; amending s. 193.624, F.S.; revising the definition of the term "renewable energy source device"; providing applicability; amending s. 193.703, F.S.; providing that a person may not be assessed unpaid taxes under certain circumstances; creating s. 195.028, F.S.; requiring the Department of Revenue to create multilanguage versions of forms under certain circumstances; specifying a requirement and authorization for such forms; requiring the department to develop and post certain documents related to property tax exemptions; amending s. 196.011, F.S.; providing that taxpayers are not responsible for specified payments in certain circumstances; requiring property appraisers to provide multi-language applications under certain circumstances; amending s. 196.031, F.S.; extending the timeframe before a property owner's failure to commence repair or rebuilding of homestead property constitutes abandonment; amending s. 196.075, F.S.; providing that a person may not be assessed unpaid taxes under certain circumstances; amending s. 196.121, F.S.; requiring homestead application forms to include certain information; amending s. 196.161, F.S.; providing that a property may not be subject to unpaid taxes, penalties, or interest under certain circumstances; requiring property appraisers to include certain information with notices of tax liens; providing that a person may not be assessed unpaid taxes 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 exempt certain units 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; revising eligibility; 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 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 applicability; amending s. 196.1978, F.S.; authorizing a taxing authority, beginning at a specified time, to elect not to exempt certain property upon adoption of an ordinance or a resolution; specifying requirements and limitations for the ordinance or resolution; providing applicability; specifying duties of the taxing authority; providing applicability; amending s. 196.24, F.S.; revising the amount of a certain exemption related to disabled ex-servicemembers; providing applicability; amending s. 200.069, F.S.; providing that the property appraiser, rather than the local governing board, may request the notice of proposed property taxes and notice of non-ad valorem assessments; amending s. 201.08, F.S.; providing applicability; defining the term "principal limit"; requiring that certain taxes be calculated based on the principal limit at a specified event; providing retroactive operation; providing construction; amending s. 201.21, F.S.; exempting all non-interest-bearing promissory notes, non-interest-bearing nonnegotiable notes, or non-interest-bearing written obligations, for specified purposes, from documentary stamp taxes in connection with the sale of alarm systems; amending s. 206.9931, F.S.; deleting a registration fee for certain parties; amending s. 206.9955, F.S.; revising the rates of certain taxes on natural gas fuel for a specified timeframe; reenacting s. 206.996(1) and (4), F.S., relating to monthly reports by natural gas fuel retailers and deductions, to incorporate the amendment made to s. 206.9955, F.S., in references thereto; reenacting s. 206.997, F.S., relating to state and local alternative fuel user fee clearing trust funds and distributions, to incorporate the amendment made to s. 206.9955, F.S., in references thereto; creating s. 211.0254, F.S.; authorizing the use of credits against certain taxes beginning on a specified date; providing a limitation on such credits; providing construction; providing applicability; creating s. 212.1835, F.S.; authorizing the use of credits against certain taxes beginning on a specified date; authorizing certain expenses and payments to count toward the tax due; providing construction; providing applicability; requiring electronic filing of returns and payment of taxes; amending s. 212.0306, F.S.; revising the necessary vote in a referendum for the levy of a certain local option food and beverage tax; amending s. 212.05, F.S.; making technical changes; specifying the application of an exemption for sales tax for certain purchasers of boats and aircraft; amending s. 212.054, F.S.; specifying that certain purchases are considered a single item for purposes of discretionary sales surtax; specifying that certain property sales are deemed to occur in the county where the purchaser resides, as identified on specified documents; amending s. 212.055, F.S.; deleting a restriction on counties authorized to levy an indigent care and trauma center surtax; amending s. 212.11, F.S.; authorizing an automatic extension for filing returns and remitting sales and use tax when specified states of emergency are declared; amending s. 212.12, F.S.; revising the amount of a sales tax collection allowance for certain dealers; amending s. 212.20, F.S.; deleting the future repeal of provisions related to annual distributions to the Florida Agricultural Promotional Campaign Trust Fund; amending s. 213.21, F.S.; authorizing the department to consider requests to settle or compromise certain liabilities after certain time periods have expired, in certain circumstances; providing a limitation; providing that certain department decisions are not subject to review; amending s. 213.67, F.S.; authorizing certain parties to include additional specified amounts in a garnishment levy notice; revising methods for delivery of levy notices; amending s. 220.02, F.S.; revising the order in which credits may be taken to include a specified credit; amending s. 220.03, F.S.; revising the date of adoption of the Internal Revenue Code and other federal income tax statutes for purposes of the state corporate income tax; providing retroactive operation; amending s. 220.19, F.S.; authorizing the use of credits against certain taxes beginning on a specified date; revising obsolete provisions; authorizing certain taxpayers to use the credit in a specified manner; providing applicability;

amending s. 220.1915, F.S.; revising the definition of the term "qualifying railroad"; revising application requirements for the credit for qualified railroad reconstruction or replacement expenditures; revising requirements for the department related to the issuance of a certain letter; revising conditions for carry-forward and transfer of such credit; creating s. 220.1992, F.S.; defining the terms "qualified employee" and "qualified taxpayer"; establishing a credit against specified taxes for taxpayers that employ specified individuals; specifying the amount of such tax credit; authorizing the department to adopt rules governing the manner and form of the application for such tax credit; specifying requirements for such form; requiring the department to approve the tax credit prior to the taxpayer taking the credit; requiring the department to approve the tax credits in a specified manner; requiring the department to notify the taxpayer in a specified manner if the department determines an application is incomplete; providing that such taxpayer has a specified timeframe to correct any deficiency; providing that certain applications are deemed complete on a specified date; prohibiting taxpayers from claiming a tax credit more than a specified amount; authorizing the carryforward of credits in a specified manner; providing the maximum amount of credit that may be granted during specified fiscal years; authorizing the department to consult with specified entities for a certain purpose; amending s. 220.222, F.S.; providing an automatic extension for the due date for a specified return in certain circumstances; creating s. 402.261, F.S.; defining terms; authorizing certain taxpayers to receive tax credits for certain actions; providing requirements for such credits; specifying the maximum tax credit that may be granted; authorizing tax credits be carried forward; requiring repayment of tax credits under certain conditions and using a specified formula; requiring certain taxpayers to file specified returns and reports; requiring that certain funds be distributed; requiring taxpayers to submit applications beginning on a specified date to receive tax credits; requiring the application to include certain information; requiring the Department of Revenue to approve tax credits in a specified manner; prohibiting the transfer of a tax credit; providing an exception; requiring the department to approve certain transfers; requiring a specified approval before the transfer of certain credits; authorizing credits to be rescinded during a specified time period; requiring specified approval before certain credits may be rescinded; requiring rescinded credits to be made available for use in a specified manner; requiring the department to provide specified letters in a certain time period with certain information; authorizing the department to adopt rules; amending s. 402.62, F.S.; revising the requirements for the Department of Children and Families in designating eligible charitable organizations; increasing the Strong Families Tax Credit cap; specifying when applications may be submitted to the Department of Revenue; amending s. 561.121, F.S.; providing for a specified monthly distribution to specified entities of funds collected from certain excise taxes on alcoholic beverages and license fees on vendors; providing for the uses of such funds; providing for future repeal; creating s. 561.1214, F.S.; authorizing the use of credits against certain taxes beginning on a specified date; providing a limitation on such credits; providing applicability; providing construction; reenacting s. 571.26, F.S., relating to the Florida Agricultural Promotional Campaign Trust Fund; repealing s. 41 of chapter 2023-157, Laws of Florida, which provides for the expiration and reversion of a specified provision of law; amending s. 571.265, F.S.; deleting the future repeal of provisions related to the promotion of Florida thoroughbred breeding and of thoroughbred racing; amending s. 624.509, F.S.; revising the order in which certain credits and deductions may be taken to incorporate changes made by this act; amending s. 624.5107, F.S.; authorizing the use of credits against certain taxes beginning on a specified date; providing a limitation; providing construction; providing applicability; creating s. 624.5108, F.S.; requiring insurers to deduct specified amounts from the premiums for certain policies; defining the term "flood"; providing applicability; requiring the deductions amount to be separately stated; providing reporting requirements; providing that such deductions do not reduce insurers' direct written premiums; providing for a credit for a specified timeframe against insurance premium tax for insurers in a specified amount; exempting insurers claiming such credit from retaliatory tax; providing construction; providing for carry-forward of certain credits; requiring certain insurers to include certain information with their quarterly and annual statements; requiring the office to include certain information in certain reports; authorizing the department to perform necessary audits and investigations; requiring the Office of Insurance Regulation to provide technical assistance; requiring the office to examine certain information and take corrective measures; authorizing the department and the office to adopt emergency rules; providing for future repeal; exempting from sales and use tax specified disaster preparedness supplies during specified timeframes; providing applicability; authorizing the department to adopt emergency rules; exempting from sales and use tax admissions to certain events, performances, and facilities, certain season tickets, and the retail sale of certain boating and water activity, camping, fishing, general outdoor, and residential pool supplies during specified timeframes; defining terms; providing applicability; authorizing the department to adopt emergency rules; exempting from sales and use tax the retail sale of certain clothing, wallets, bags, school supplies, learning aids and jigsaw puzzles, and personal computers and personal computer-related accessories during specified timeframes; defining terms; providing applicability; authorizing certain dealers to opt out of participating in the tax holiday, subject to certain requirements; authorizing the department to adopt emergency rules; exempting from the sales and use tax the retail sale of certain tools during a specified timeframe; providing applicability; authorizing the department to adopt emergency rules; authorizing the department to adopt emergency rules for specified provisions; providing for future expiration; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for SB 7074**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 7073** was withdrawn from the Committee on Appropriations.

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

CS for HB 7073—A bill to be entitled An act relating to taxation; amending s. 125.0104, F.S.; requiring specified ordinances to expire after a certain amount of time; authorizing the adoption of a new ordinance; requiring certain taxes to be renewed by a certain date to remain in effect; providing applicability; providing an exception; amending s. 192.001, F.S.; revising the definition of the term "tangible personal property" to specify the conditions under which certain work is deemed substantially completed; providing applicability; providing for retroactive operation; amending s. 193.624, F.S.; revising the definition of the term "renewable energy source device"; providing applicability; amending s. 194.037, F.S.; revising obsolete provisions; amending s. 201.08, F.S.; providing applicability; defining the term "principal limit"; requiring certain taxes to be calculated based on the principal limit at a specified event; providing retroactive operation; providing construction; amending s. 212.0306, F.S.; specifying the type of vote necessary for a certain tax levy; amending s. 212.031, F.S.; providing a temporary reduction in a specified tax rate; amending s. 212.05, F.S.; providing a sales tax exemption for certain leases and rentals; amending s. 212.055, F.S.; revising the number of years that certain taxes may be levied; requiring approval of certain taxes in a referendum; removing a restriction on counties that may levy a specified tax; revising the date when a certain tax may expire; amending s. 212.11, F.S.; authorizing an automatic extension for filing returns and remitting sales and use tax when specified states of emergency are declared; amending s. 212.20, F.S.; extending the date a certain distribution will be repealed; amending s. 220.02, F.S.; revising the order in which credits may be taken to include a specified credit; amending s. 220.03, F.S.; revising the date of adoption of the Internal Revenue Code and other federal income tax statutes for purposes of the state corporate income tax; providing retroactive operation; creating s. 220.1992, F.S.; defining the terms "qualified employee" and "qualified taxpayer"; establishing a credit against specified taxes for taxpayers that employ specified individuals; providing the maximum amount of such credit; providing how such credit is determined; providing application requirements; requiring credits to be approved prior to being used; requiring credits to be approved in a specified manner; providing the maximum credit that may be claimed by a single taxpayer; authorizing carryforward of credits in a specified manner; providing the maximum amount of credit that may be granted during specified fiscal years; authorizing the Department of Revenue to consult with specified entities for a certain purpose; authorizing rulemaking; amending s. 220.222, F.S.; providing an automatic extension of the due date for a specified tax return in certain circumstances; amending s. 374.986, F.S.; revising obsolete provisions; amending s. 402.62, F.S.; increasing the Strong Families Tax Credit cap; providing when applications may be submitted to the Department of Revenue; amending s. 413.4021, F.S.; increasing the distribution for a specified program; amending s. 571.265, F.S.; extending the date of a future repeal; creating s. 624.5108, F.S.; requiring certain insurers to provide a specified deduction on certain policies; providing applicability; providing requirements for such deduction on certain policy declara-

tions; requiring insurers to use certain information to determine eligibility; requiring policy premiums be reported in a specified manner; authorizing certain policyholders to apply for a refund from the insurer using specified evidence; providing a credit against the insurance premium tax; prohibiting certain insurers from being required to pay a specified tax; authorizing credits to be carried forward for a certain amount of time; requiring certain insurers to report specified information; authorizing the Department of Revenue to audit and investigate certain parties; requiring the Office of Insurance Regulation provide certain assistance; authorizing the office to examine certain deduction information for a specified purpose; authorizing the department and the office to adopt emergency rules; providing an expiration date; exempting from sales and use tax specified disaster preparedness supplies during specified timeframes; defining terms; specifying locations where the tax exemptions do not apply; exempting from sales and use tax admissions to certain events, performances, and facilities, certain season tickets, and the retail sale of certain boating and water activity, camping, fishing, general outdoor, and residential pool supplies and sporting equipment during specified timeframes; providing definitions; specifying locations where the tax exemptions do not apply; authorizing the Department of Revenue to adopt emergency rules; exempting from sales and use tax the retail sale of certain clothing, wallets, bags, school supplies, learning aids and jigsaw puzzles, and personal computers and personal computer-related accessories during specified timeframes; providing definitions; specifying locations where the tax exemptions do not apply; authorizing certain dealers to opt out of participating in the tax holiday, subject to certain requirements; authorizing the Department of Revenue to adopt emergency rules; exempting from the sales and use tax the retail sale of certain tools during a specified timeframe; specifying locations where the tax exemptions do not apply; authorizing the Department of Revenue to adopt emergency rules; requiring certain counties to use specified tax revenue for affordable housing; providing requirements for housing financed with such revenue; providing for distribution of such funds; authorizing the Department of Revenue to adopt emergency rules for specified provisions; providing for future repeal; providing effective dates.

—a companion measure, was substituted for **CS for SB 7074** and read the second time by title.

Senator Ingoglia moved the following amendment:

Amendment 1 (798738) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Effective upon this act becoming a law, paragraph (d) of subsection (11) of section 192.001, Florida Statutes, is amended to read:

192.001 Definitions.—All definitions set out in chapters 1 and 200 that are applicable to this chapter are included herein. In addition, the following definitions shall apply in the imposition of ad valorem taxes:

(11) "Personal property," for the purposes of ad valorem taxation, shall be divided into four categories as follows:

(d) "Tangible personal property" means all goods, chattels, and other articles of value (but does not include the vehicular items enumerated in s. 1(b), Art. VII of the State Constitution and elsewhere defined) capable of manual possession and whose chief value is intrinsic to the article itself. "Construction work in progress" consists of those items of tangible personal property commonly known as fixtures, machinery, and equipment when in the process of being installed in new or expanded improvements to real property and whose value is materially enhanced upon connection or use with a preexisting, taxable, operational system or facility. Construction work in progress shall be deemed substantially completed when connected with the preexisting, taxable, operational system or facility. *For the purposes of tangible personal property constructed or installed by an electric utility, construction work in progress shall be deemed substantially completed upon the earlier of when all permits or approvals required for commercial operation have been received or approved, or 1 year after the construction work in progress has been connected with the preexisting, taxable, operational system or facility.* Inventory and household goods are expressly excluded from this definition.

Section 2. *(1) The amendment made by this act to s. 192.001, Florida Statutes, applies retroactively beginning with the 2024 property tax roll.*

(2) This section shall take effect upon becoming a law.

Section 3. Paragraph (g) of subsection (1) of section 192.0105, Florida Statutes, is amended to read:

192.0105 Taxpayer rights.—There is created a Florida Taxpayer's Bill of Rights for property taxes and assessments to guarantee that the rights, privacy, and property of the taxpayers of this state are adequately safeguarded and protected during tax levy, assessment, collection, and enforcement processes administered under the revenue laws of this state. The Taxpayer's Bill of Rights compiles, in one document, brief but comprehensive statements that summarize the rights and obligations of the property appraisers, tax collectors, clerks of the court, local governing boards, the Department of Revenue, and taxpayers. Additional rights afforded to payors of taxes and assessments imposed under the revenue laws of this state are provided in s. 213.015. The rights afforded taxpayers to assure that their privacy and property are safeguarded and protected during tax levy, assessment, and collection are available only insofar as they are implemented in other parts of the Florida Statutes or rules of the Department of Revenue. The rights so guaranteed to state taxpayers in the Florida Statutes and the departmental rules include:

(1) THE RIGHT TO KNOW.—

(g) The right, on property determined not to have been entitled to homestead exemption in a prior year, to notice of intent from the property appraiser to record notice of tax lien*, information regarding why the taxpayer was not entitled to the exemption and how tax, penalties, and interest are calculated,* and the right to pay tax, penalty, and interest before a tax lien is recorded for any prior year (see s. 196.161(1)(b)).

Notwithstanding the right to information contained in this subsection, under s. 197.122 property owners are held to know that property taxes are due and payable annually and are charged with a duty to ascertain the amount of current and delinquent taxes and obtain the necessary information from the applicable governmental officials.

Section 4. Paragraph (b) of subsection (4) and subsection (10) of section 193.155, Florida Statutes, are amended to read:

193.155 Homestead assessments.—Homestead property shall be assessed at just value as of January 1, 1994. Property receiving the homestead exemption after January 1, 1994, shall be assessed at just value as of January 1 of the year in which the property receives the exemption unless the provisions of subsection (8) apply.

(4)

(b)1. Changes, additions, or improvements that replace all or a portion of homestead property, including ancillary improvements, damaged or destroyed by misfortune or calamity shall be assessed upon substantial completion as provided in this paragraph. Such assessment must be calculated using the homestead property's assessed value as of the January 1 immediately before the date on which the damage or destruction was sustained, subject to the assessment limitations in subsections (1) and (2), when:

a. The square footage of the homestead property as changed or improved does not exceed 110 percent of the square footage of the homestead property before the damage or destruction; or

b. The total square footage of the homestead property as changed or improved does not exceed 1,500 square feet.

2. The homestead property's assessed value must be increased by the just value of that portion of the changed or improved homestead property which is in excess of 110 percent of the square footage of the homestead property before the damage or destruction or of that portion exceeding 1,500 square feet.

3. Homestead property damaged or destroyed by misfortune or calamity which, after being changed or improved, has a square footage of less than 100 percent of the homestead property's total square footage before the damage or destruction shall be assessed pursuant to subsection (5).

4. Changes, additions, or improvements assessed pursuant to this paragraph must be reassessed pursuant to subsection (1) in subsequent years. This paragraph applies to changes, additions, or improvements commenced within *5* ~~3~~ years after the January 1 following the damage or destruction of the homestead.

(10)*(a)* If the property appraiser determines that for any year or years within the prior 10 years a person who was not entitled to the homestead property assessment limitation granted under this section was granted the homestead property assessment limitation, the property appraiser making such determination shall serve upon the owner a notice of intent to record in the public records of the county a notice of tax lien against any property owned by that person in the county, and such property must be identified in the notice of tax lien. *The property appraiser must include with such notice information explaining why the owner is not entitled to the limitation, the years for which unpaid taxes, penalties, and interest are due, and the manner in which unpaid taxes, penalties, and interest have been calculated.* Such property that is situated in this state is subject to the unpaid taxes, plus a penalty of 50 percent of the unpaid taxes for each year and 15 percent interest per annum. However, when a person entitled to exemption pursuant to s. 196.031 inadvertently receives the limitation pursuant to this section following a change of ownership, the assessment of such property must be corrected as provided in paragraph (9)(a), and the person need not pay the unpaid taxes, penalties, or interest. Before a lien may be filed, the person or entity so notified must be given 30 days to pay the taxes and any applicable penalties and interest.

(b) If the property appraiser improperly grants the property assessment limitation as a result of a clerical mistake or an omission, the person or entity improperly receiving the property assessment limitation may not be assessed a penalty or interest. *Back taxes shall apply only as follows:*

1. If the person who received the limitation as a result of a clerical mistake or omission voluntarily discloses to the property appraiser that he or she was not entitled to the limitation before the property appraiser notifies the owner of the mistake or omission, no back taxes shall be due.

2. If the person who received the limitation as a result of a clerical mistake or omission does not voluntarily disclose to the property appraiser that he or she was not entitled to the limitation before the property appraiser notifies the owner of the mistake or omission, back taxes shall be due for any year or years that the owner was not entitled to the limitation within the 5 years before the property appraiser notified the owner of the mistake or omission.

3. The property appraiser shall serve upon an owner that owes back taxes under subparagraph 2. a notice of intent to record in the public records of the county a notice of tax lien against any property owned by that person in the county, and such property must be identified in the notice of tax lien. The property appraiser must include with such notice information explaining why the owner is not entitled to the limitation, the years for which unpaid taxes are due, and the manner in which unpaid taxes have been calculated. Before a lien may be filed, the person or entity so notified must be given 30 days to pay the taxes.

Section 5. Subsection (1) of section 193.624, Florida Statutes, is amended to read:

193.624 Assessment of renewable energy source devices.—

(1) As used in this section, the term "renewable energy source device" means any of the following equipment that collects, transmits, stores, or uses solar energy, wind energy, or energy derived from geothermal deposits *or biogas, as defined in s. 366.91*:

(a) Solar energy collectors, photovoltaic modules, and inverters.

(b) Storage tanks and other storage systems, excluding swimming pools used as storage tanks.

(c) Rockbeds.

(d) Thermostats and other control devices.

(e) Heat exchange devices.

(f) Pumps and fans.

(g) Roof ponds.

(h) Freestanding thermal containers.

(i) Pipes, ducts, wiring, structural supports, refrigerant handling systems, and other components used as integral parts of such systems; however, such equipment does not include conventional backup systems of any type or any equipment or structure that would be required in the absence of the renewable energy source device.

(j) Windmills and wind turbines.

(k) Wind-driven generators.

(l) Power conditioning and storage devices that store or use solar energy, wind energy, or energy derived from geothermal deposits to generate electricity or mechanical forms of energy.

(m) Pipes and other equipment used to transmit hot geothermal water to a dwelling or structure from a geothermal deposit.

(n) Pipes, equipment, structural facilities, structural support, and any other machinery integral to the interconnection, production, storage, compression, transportation, processing, collection, and conversion of biogas from landfill waste; livestock farm waste, including manure; food waste; or treated wastewater into renewable natural gas as defined in s. 366.91.

The term does not include equipment that is on the distribution or transmission side of the point at which a renewable energy source device is interconnected to an electric utility's distribution grid or transmission lines *or a natural gas pipeline or distribution system*.

Section 6. *The amendment made by this act to s. 193.624, Florida Statutes, first applies to the 2025 property tax roll.*

Section 7. Subsection (7) of section 193.703, Florida Statutes, is amended to read:

193.703 Reduction in assessment for living quarters of parents or grandparents.—

(7)*(a)* If the property appraiser determines that for any year within the previous 10 years a property owner who was not entitled to a reduction in assessed value under this section was granted such reduction, the property appraiser shall serve on the owner a notice of intent to record in the public records of the county a notice of tax lien against any property owned by that person in the county, and that property must be identified in the notice of tax lien. Any property that is owned by that person and is situated in this state is subject to the taxes exempted by the improper reduction, plus a penalty of 50 percent of the unpaid taxes for each year and interest at a rate of 15 percent per annum. *Before such lien may be filed, the owner must be given 30 days within which to pay the taxes, penalties, and interest. Such lien is subject to s. 196.161(3).*

(b)1. ~~However,~~ If a reduction is improperly granted due to a clerical mistake or omission by the property appraiser, the person who improperly received the reduction may not be assessed a penalty or interest. *Back taxes shall apply only as follows:*

a. If the person who received the reduction in assessed value as a result of a clerical mistake or omission voluntarily discloses to the property appraiser that he or she was not entitled to the reduction in assessed value before the property appraiser notifies the owner of the mistake or omission, no back taxes shall be due.

b. If the person who received the reduction in assessed value as a result of a clerical mistake or omission does not voluntarily disclose to the property appraiser that he or she was not entitled to the limitation before the property appraiser notifies the owner of the mistake or omission, back taxes shall be due for any year or years that the owner was not entitled to the limitation within the 5 years before the property appraiser notified the owner of the mistake or omission.

2. The property appraiser shall serve upon an owner that owes back taxes under sub-subparagraph 1.b. a notice of intent to record in the public records of the county a notice of tax lien against any property owned by that person in the county, and such property must be identified in the notice of tax lien. The property appraiser must include with such

notice information explaining why the owner is not entitled to the limitation, the years for which unpaid taxes are due, and the manner in which unpaid taxes have been calculated. Before such lien may be filed, the owner must be given 30 days within which to pay the taxes, penalties, and interest. Such lien is subject to s. 196.161(3).

Section 8. Paragraph (f) of subsection (1) of section 194.037, Florida Statutes, is amended to read:

194.037 Disclosure of tax impact.—

(1) After hearing all petitions, complaints, appeals, and disputes, the clerk shall make public notice of the findings and results of the board as provided in chapter 50. If published in the print edition of a newspaper, the notice must be in at least a quarter-page size advertisement of a standard size or tabloid size newspaper, and the headline shall be in a type no smaller than 18 point. The advertisement shall not be placed in that portion of the newspaper where legal notices and classified advertisements appear. The advertisement shall be published in a newspaper in the county. The newspaper selected shall be one of general interest and readership in the community pursuant to chapter 50. For all advertisements published pursuant to this section, the headline shall read: TAX IMPACT OF VALUE ADJUSTMENT BOARD. The public notice shall list the members of the value adjustment board and the taxing authorities to which they are elected. The form shall show, in columnar form, for each of the property classes listed under subsection (2), the following information, with appropriate column totals:

(f) In the sixth column, the net change in taxable value from the *property appraiser's* ~~assessor's~~ initial roll which results from board decisions.

Section 9. Present paragraphs (b) through (e) of subsection (9) of section 196.011, Florida Statutes, are redesignated as paragraphs (c) through (f), respectively, a new paragraph (b) is added to that subsection, and paragraph (a) of that subsection is amended, to read:

196.011 Annual application required for exemption.—

(9)(a) A county may, at the request of the property appraiser and by a majority vote of its governing body, waive the requirement that an annual application or statement be made for exemption of property within the county after an initial application is made and the exemption granted. The waiver under this subsection of the annual application or statement requirement applies to all exemptions under this chapter except the exemption under s. 196.1995. Notwithstanding such waiver, refiling of an application or statement shall be required when any property granted an exemption is sold or otherwise disposed of, when the ownership changes in any manner, when the applicant for homestead exemption ceases to use the property as his or her homestead, or when the status of the owner changes so as to change the exempt status of the property. In its deliberations on whether to waive the annual application or statement requirement, the governing body shall consider the possibility of fraudulent exemption claims which may occur due to the waiver of the annual application requirement. The owner of any property granted an exemption who is not required to file an annual application or statement shall notify the property appraiser promptly whenever the use of the property or the status or condition of the owner changes so as to change the exempt status of the property. If any property owner fails to so notify the property appraiser and the property appraiser determines that for any year within the prior 10 years the owner was not entitled to receive such exemption, the owner of the property is subject to the taxes exempted as a result of such failure plus 15 percent interest per annum and a penalty of 50 percent of the taxes exempted. Except for homestead exemptions controlled by s. 196.161, the property appraiser making such determination shall record in the public records of the county a notice of tax lien against any property owned by that person or entity in the county, and such property must be identified in the notice of tax lien. *Except as provided in paragraph (b),* such property is subject to the payment of all taxes and penalties. Such lien when filed shall attach to any property, identified in the notice of tax lien, owned by the person who illegally or improperly received the exemption. If such person no longer owns property in that county but owns property in some other county or counties in the state, the property appraiser shall record a notice of tax lien in such other county or counties, identifying the property owned by such person or entity in such county or counties, and it shall become a lien against such property in such county or counties. *Before a lien may be filed, the person or entity so notified must be given 30 days to pay the taxes.*

(b) If a homestead exemption is granted as a result of a clerical mistake or omission by the property appraiser, the taxpayer may not be assessed a penalty or interest. Back taxes shall apply only as follows:

1. If the person who received the homestead exemption as a result of a clerical mistake or omission voluntarily discloses to the property appraiser that he or she was not entitled to the homestead exemption before the property appraiser notifies the owner of the mistake or omission, no back taxes shall be due.

2. If the person who received the homestead exemption as a result of a clerical mistake or omission does not voluntarily disclose to the property appraiser that he or she was not entitled to the homestead exemption before the property appraiser notifies the owner of the mistake or omission, back taxes shall be due for any year or years that the owner was not entitled to the limitation within the 5 years before the property appraiser notified the owner of the mistake or omission.

3. The property appraiser shall serve upon an owner that owes back taxes under subparagraph 2. a notice of intent to record in the public records of the county a notice of tax lien against any property owned by that person in the county, and such property must be identified in the notice of tax lien. The property appraiser must include with such notice information explaining why the owner is not entitled to the limitation, the years for which unpaid taxes are due, and the manner in which unpaid taxes have been calculated. Before a lien may be filed, the person or entity so notified must be given 30 days to pay the taxes.

Section 10. Subsection (7) of section 196.031, Florida Statutes, is amended to read:

196.031 Exemption of homesteads.—

(7) When homestead property is damaged or destroyed by misfortune or calamity and the property is uninhabitable on January 1 after the damage or destruction occurs, the homestead exemption may be granted if the property is otherwise qualified and if the property owner notifies the property appraiser that he or she intends to repair or rebuild the property and live in the property as his or her primary residence after the property is repaired or rebuilt and does not claim a homestead exemption on any other property or otherwise violate this section. Failure by the property owner to commence the repair or rebuilding of the homestead property within *5* ~~3~~ years after January 1 following the property's damage or destruction constitutes abandonment of the property as a homestead. After the *5-year* ~~3 year~~ period, the expiration, lapse, nonrenewal, or revocation of a building permit issued to the property owner for such repairs or rebuilding also constitutes abandonment of the property as homestead.

Section 11. Subsection (9) of section 196.075, Florida Statutes, is amended to read:

196.075 Additional homestead exemption for persons 65 and older.—

(9)*(a)* If the property appraiser determines that for any year within the immediately previous 10 years a person who was not entitled to the additional homestead exemption under this section was granted such an exemption, the property appraiser shall serve upon the owner a notice of intent to record in the public records of the county a notice of tax lien against any property owned by that person in the county, and that property must be identified in the notice of tax lien. Any property that is owned by the taxpayer and is situated in this state is subject to the taxes exempted by the improper homestead exemption, plus a penalty of 50 percent of the unpaid taxes for each year and interest at a rate of 15 percent per annum. *Before any such lien may be filed, the owner must be given 30 days within which to pay the taxes, penalties, and interest. Such a lien is subject to the procedures and provisions set forth in s. 196.161(3).*

(b) ~~However,~~ If *the additional homestead* ~~such an~~ exemption *under this section* is improperly granted as a result of a clerical mistake or omission by the property appraiser, the person who improperly received the exemption may not be assessed a penalty and interest. *Back taxes shall apply only as follows:*

1. If the person who received the additional homestead exemption under this section as a result of a clerical mistake or omission voluntarily discloses to the property appraiser that he or she was not entitled to the homestead exemption before the property appraiser notifies the owner of the mistake or omission, no back taxes shall be due.

2. If the person who received the additional homestead exemption under this section as a result of a clerical mistake or omission does not voluntarily disclose to the property appraiser that he or she was not entitled to the homestead exemption before the property appraiser notifies the owner of the mistake or omission, back taxes shall be due for any year or years that the owner was not entitled to the limitation within the 5 years before the property appraiser notified the owner of the mistake or omission.

3. The property appraiser shall serve upon an owner that owes back taxes under subparagraph 2. a notice of intent to record in the public records of the county a notice of tax lien against any property owned by that person in the county, and such property must be identified in the notice of tax lien. The property appraiser must include with such notice information explaining why the owner is not entitled to the limitation, the years for which unpaid taxes are due, and the manner in which unpaid taxes have been calculated. Before any such lien may be filed, the owner must be given 30 days within which to pay the taxes, penalties, and interest. Such a lien is subject to the procedures and provisions set forth in s. 196.161(3).

Section 12. Paragraph (b) of subsection (1) of section 196.161, Florida Statutes, is amended to read:

196.161 Homestead exemptions; lien imposed on property of person claiming exemption although not a permanent resident.—

(1)

(b)*1.* In addition, upon determination by the property appraiser that for any year or years within the prior 10 years a person who was not entitled to a homestead exemption was granted a homestead exemption from ad valorem taxes, it shall be the duty of the property appraiser making such determination to serve upon the owner a notice of intent to record in the public records of the county a notice of tax lien against any property owned by that person in the county, and such property shall be identified in the notice of tax lien. *The property appraiser must include with such notice served upon the owner information explaining why the owner is not entitled to the homestead exemption; for which years unpaid taxes, penalties, and interest are due; and how unpaid taxes, penalties, and interest have been calculated.* Such property which is situated in this state shall be subject to the taxes exempted thereby, plus a penalty of 50 percent of the unpaid taxes for each year and 15 percent interest per annum. *Before any such lien may be filed, the owner so notified must be given 30 days to pay the taxes, penalties, and interest.*

2. ~~However,~~ If a homestead exemption is improperly granted as a result of a clerical mistake or an omission by the property appraiser, the person improperly receiving the exemption shall not be assessed penalty and interest. Before any such lien may be filed, the owner so notified must be given 30 days to pay the taxes, penalties, and interest. *Back taxes shall apply only as follows:*

a. If the person who received the homestead exemption as a result of a clerical mistake or omission voluntarily discloses to the property appraiser that he or she was not entitled to the homestead exemption before the property appraiser notifies the owner of the mistake or omission, no back taxes shall be due.

b. If the person who received the homestead exemption as a result of a clerical mistake or omission does not voluntarily disclose to the property appraiser that he or she was not entitled to the homestead exemption before the property appraiser notifies the owner of the mistake or omission, back taxes shall be due for any year or years that the owner was not entitled to the limitation within the 5 years before the property appraiser notified the owner of the mistake or omission.

c. The property appraiser shall serve upon an owner that owes back taxes under sub-subparagraph b. a notice of intent to record in the public records of the county a notice of tax lien against any property owned by that person in the county, and such property must be identified in the notice of tax lien. The property appraiser must include with such notice information explaining why the owner is not entitled to the limitation, the years for which unpaid taxes are due, and the manner in which unpaid taxes have been calculated.

Section 13. Effective upon becoming a law, subsection (3) of section 196.1978, Florida Statutes, is amended to read:

196.1978 Affordable housing property exemption.—

(3)(a) As used in this subsection, the term:

1. "Corporation" means the Florida Housing Finance Corporation.

2. "Newly constructed" means an improvement to real property which was substantially completed within 5 years before the date of an applicant's first submission of a request for *a* certification *notice* ~~or an application for an exemption~~ pursuant to this *subsection* ~~section, whichever is earlier~~.

3. "Substantially completed" has the same meaning as in s. 192.042(1).

(b) Notwithstanding ss. 196.195 and 196.196, portions of property in a multifamily project are considered property used for a charitable purpose and are eligible to receive an ad valorem property tax exemption if such portions *meet all of the following conditions*:

1. Provide affordable housing to natural persons or families meeting the income limitations provided in paragraph (d).~~;~~

2.*a.* Are within a newly constructed multifamily project that contains more than 70 units dedicated to housing natural persons or families meeting the income limitations provided in paragraph (d); *or*

b. Are within a newly constructed multifamily project in an area of critical state concern, as designated by s. 380.0552 or chapter 28-36, Florida Administrative Code, which contains more than 10 units dedicated to housing natural persons or families meeting the income limitations provided in paragraph (d). ~~and~~

3. Are rented for an amount that does not exceed the amount as specified by the most recent multifamily rental programs income and rent limit chart posted by the corporation and derived from the Multifamily Tax Subsidy Projects Income Limits published by the United States Department of Housing and Urban Development or 90 percent of the fair market value rent as determined by a rental market study meeting the requirements of paragraph *(l)* ~~(m)~~, whichever is less.

(c) If a unit that in the previous year *received* ~~qualified for~~ the exemption under this subsection and was occupied by a tenant is vacant on January 1, the vacant unit is eligible for the exemption if the use of the unit is restricted to providing affordable housing that would otherwise meet the requirements of this subsection and a reasonable effort is made to lease the unit to eligible persons or families.

(d)1. *The property appraiser shall exempt:*

a. Seventy-five percent of the assessed value of the units in multifamily projects that meet the requirements of this subsection and are ~~Qualified property~~ used to house natural persons or families whose annual household income is greater than 80 percent but not more than 120 percent of the median annual adjusted gross income for households within the metropolitan statistical area or, if not within a metropolitan statistical area, within the county in which the person or family resides*; and*~~, must receive an ad valorem property tax exemption of 75 percent of the assessed value.~~

b.~~2.~~ *From ad valorem property taxes the units in multifamily projects that meet the requirements of this subsection and are* ~~Qualified property~~ used to house natural persons or families whose annual household income does not exceed 80 percent of the median annual adjusted gross income for households within the metropolitan statistical area or, if not within a metropolitan statistical area, within the county in which the person or family resides~~, is exempt from ad valorem property taxes~~.

2. When determining the value of a unit for purposes of applying an exemption pursuant to this paragraph, the property appraiser must include in such valuation the proportionate share of the residential common areas, including the land, fairly attributable to such unit.

(e) To *be eligible to* receive an exemption under this subsection, a property owner must submit an application on a form prescribed by the department by March 1 for the exemption, accompanied by a certification notice from the corporation to the property appraiser. *The property appraiser shall review the application and determine whether the applicant meets all of the requirements of this subsection and is entitled to an exemption. A property appraiser may request and review additional information necessary to make such determination. A property appraiser may grant an exemption only for a property for which the corporation has issued a certification notice and which the property appraiser determines is entitled to an exemption.*

(f) To receive a certification notice, a property owner must submit a request to the corporation ~~for certification~~ on a form provided by the corporation which includes all of the following:

1. The most recently completed rental market study meeting the requirements of paragraph *(l)* ~~(m)~~.

2. A list of the units for which the property owner seeks an exemption.

3. The rent amount received by the property owner for each unit for which the property owner seeks an exemption. If a unit is vacant and qualifies for an exemption under paragraph (c), the property owner must provide evidence of the published rent amount for each vacant unit.

4. A sworn statement, under penalty of perjury, from the applicant restricting the property for a period of not less than 3 years to housing persons or families who meet the income limitations under this subsection.

(g) The corporation shall review the request for *a* certification *notice* and certify *whether a* property ~~that~~ meets the ~~eligibility~~ criteria of *paragraphs (b) and (c)* ~~this subsection~~. A determination by the corporation regarding a request for *a* certification *notice* does not constitute *a grant of an exemption pursuant to this subsection or* final agency action pursuant to chapter 120.

1. If the corporation determines that the property meets the ~~eligibility~~ criteria ~~for an exemption under this subsection~~, the corporation must send a certification notice to the property owner and the property appraiser.

2. If the corporation determines that the property does not meet the ~~eligibility~~ criteria, the corporation must notify the property owner and include the reasons for such determination.

(h) The corporation shall post on its website the deadline to submit a request for *a* certification *notice*. The deadline must allow adequate time for a property owner to submit a timely application for exemption to the property appraiser.

~~(i) The property appraiser shall review the application and determine if the applicant is entitled to an exemption. A property appraiser may grant an exemption only for a property for which the corporation has issued a certification notice.~~

~~(j)~~ If the property appraiser determines that for any year during the immediately previous 10 years a person who was not entitled to an exemption under this subsection was granted such an exemption, the property appraiser must serve upon the owner a notice of intent to record in the public records of the county a notice of tax lien against any property owned by that person in the county, and that property must be identified in the notice of tax lien. Any property owned by the taxpayer and situated in this state is subject to the taxes exempted by the improper exemption, plus a penalty of 50 percent of the unpaid taxes for each year and interest at a rate of 15 percent per annum. If an exemption is improperly granted as a result of a clerical mistake or an omission by the property appraiser, the property owner improperly receiving the exemption may not be assessed a penalty or interest.

(j)~~(k)~~ Units subject to an agreement with the corporation pursuant to chapter 420 recorded in the official records of the county in which the property is located to provide housing to natural persons or families meeting the extremely-low-income, very-low-income, or low-income limits specified in s. 420.0004 are not eligible for this exemption.

(k)~~(l)~~ Property receiving an exemption pursuant to s. 196.1979 *or units used as a transient public lodging establishment as defined in s. 509.013 are* ~~is~~ not eligible for this exemption.

(l)~~(m)~~ A rental market study submitted as required by *subparagraph (f)1.* ~~paragraph (f)~~ must identify the fair market value rent of each unit for which a property owner seeks an exemption. Only a certified general appraiser as defined in s. 475.611 may issue a rental market study. The certified general appraiser must be independent of the property owner who requests the rental market study. In preparing the rental market study, a certified general appraiser shall comply with the standards of professional practice pursuant to part II of chapter 475 and use comparable property within the same geographic area and of the same type as the property for which the exemption is sought. A rental market study must have been completed within 3 years before submission of the application.

(m)~~(n)~~ The corporation may adopt rules to implement this section.

(n)~~(o)~~ This subsection first applies to the 2024 tax roll and is repealed December 31, 2059.

Section 14. Effective upon becoming a law, present subsections (6) and (7) of section 196.1979, Florida Statutes, are redesignated as subsections (8) and (9), respectively, new subsections (6) and (7) are added to that section, and paragraph (b) of subsection (1), subsection (2), paragraphs (d), (f), and (l) of subsection (3), and subsection (5) of that section are amended, to read:

196.1979 County and municipal affordable housing property exemption.—

(1)

(b) Qualified property may receive an ad valorem property tax exemption of:

1. Up to 75 percent of the assessed value of each residential unit used to provide affordable housing if fewer than 100 percent of the multifamily project's residential units are used to provide affordable housing meeting the requirements of this section.

2. Up to 100 percent of the assessed value *of each residential unit used to provide affordable housing* if 100 percent of the multifamily project's residential units are used to provide affordable housing meeting the requirements of this section.

(2) If a residential unit that in the previous year *received* ~~qualified for~~ the exemption under this section and was occupied by a tenant is vacant on January 1, the vacant unit may qualify for the exemption under this section if the use of the unit is restricted to providing affordable housing that would otherwise meet the requirements of this section and a reasonable effort is made to lease the unit to eligible persons or families.

(3) An ordinance granting the exemption authorized by this section must:

(d) Require the local entity to verify and certify property that meets the requirements of the ordinance as qualified property and forward the certification to the property owner and the property appraiser. If the local entity denies the *application for certification* ~~exemption~~, it must notify the applicant and include reasons for the denial.

(f) Require the property owner to submit an application for exemption, on a form prescribed by the department, accompanied by the certification of qualified property, to the property appraiser no later than *the deadline specified in s. 196.011* ~~March 1~~.

(l) Require the county or municipality to post on its website a list of ~~certified~~ properties *receiving the exemption* for the purpose of facilitating access to affordable housing.

(5) An ordinance adopted under this section must expire before the fourth January 1 after adoption; however, the board of county commissioners or the governing body of the municipality may adopt a new ordinance to renew the exemption. The board of county commissioners or the governing body of the municipality shall deliver a copy of an ordinance adopted under this section to the department and the prop-

erty appraiser within 10 days after its adoption*, but no later than January 1 of the year such exemption will take effect*. If the ordinance expires or is repealed, the board of county commissioners or the governing body of the municipality must notify the department and the property appraiser within 10 days after its expiration or repeal*, but no later than January 1 of the year the repeal or expiration of such exemption will take effect*.

(6) The property appraiser shall review each application for exemption and determine whether the applicant meets all of the requirements of this section and is entitled to an exemption. A property appraiser may request and review additional information necessary to make such determination. A property appraiser may grant an exemption only for a property for which the local entity has certified as qualified property and which the property appraiser determines is entitled to an exemption.

(7) When determining the value of a unit for purposes of applying an exemption pursuant to this section, the property appraiser must include in such valuation the proportionate share of the residential common areas, including the land, fairly attributable to such unit.

Section 15. *(1) The amendments made to s. 196.1978, Florida Statutes, by section 13 of this act and s. 196.1979, Florida Statutes, are intended to be remedial and clarifying in nature and apply retroactively to January 1, 2024.*

(2) This section shall take effect upon becoming a law.

Section 16. Paragraph (o) is added to subsection (3) of section 196.1978, Florida Statutes, as amended by this act, and subsection (4) is added to that section, to read:

196.1978 Affordable housing property exemption.—

(3)

(o)1. Beginning with the 2025 tax roll, a taxing authority may elect, upon adoption of an ordinance or resolution approved by a two-thirds vote of the governing body, not to exempt property under sub-subparagraph (d)1.a. located in a county specified pursuant to subparagraph 2., subject to the conditions of this paragraph.

2. A taxing authority must make a finding in the ordinance or resolution that the most recently published Shimberg Center for Housing Studies Annual Report, prepared pursuant to s. 420.6075, identifies that a county that is part of the jurisdiction of the taxing authority is within a metropolitan statistical area or region where the number of affordable and available units in the metropolitan statistical area or region is greater than the number of renter households in the metropolitan statistical area or region for the category entitled "0-120 percent AMI."

3. An election made pursuant to this paragraph may apply only to the ad valorem property tax levies imposed within a county specified pursuant to subparagraph 2. by the taxing authority making the election.

4. The ordinance or resolution must take effect on the January 1 immediately succeeding adoption and shall expire on the second January 1 after the January 1 in which the ordinance or resolution takes effect. The ordinance or resolution may be renewed prior to its expiration pursuant to this paragraph.

5. The taxing authority proposing to make an election under this paragraph must advertise the ordinance or resolution or renewal thereof pursuant to the requirements of s. 50.011(1) prior to adoption.

6. The taxing authority must provide to the property appraiser the adopted ordinance or resolution or renewal thereof by the effective date of the ordinance or resolution or renewal thereof.

7. Notwithstanding an ordinance or resolution or renewal thereof adopted pursuant to this paragraph, a property owner of a multifamily project who was granted an exemption pursuant to sub-subparagraph (d)1.a. before the adoption or renewal of such ordinance or resolution may continue to receive such exemption for each subsequent consecutive year that the property owner applies for and is granted the exemption.

(4)(a) Notwithstanding ss. 196.195 and 196.196, property in a multifamily project that meets the requirements of this subsection is considered property used for a charitable purpose and is exempt from ad valorem tax beginning with the January 1 assessment immediately succeeding the date the property was placed in service allowing the property to be used as an affordable housing property that provides housing to natural persons or families meeting the extremely-low-income, very-low-income, or low-income limits specified in s. 420.0004.

(b) The multifamily project must:

1. Be composed of an improvement to land where an improvement did not previously exist or the construction of a new improvement where an old improvement was removed, which was substantially completed within 2 years before the first submission of an application for exemption under this subsection. For purposes of this subsection, the term "substantially completed" has the same definition as in s. 192.042(1).

2. Contain more than 70 units that are used to provide affordable housing to natural persons or families meeting the extremely-low-income, very-low-income, or low-income limits specified in s. 420.0004.

3. Be subject to a land use restriction agreement with the Florida Housing Finance Corporation recorded in the official records of the county in which the property is located that requires that the property be used for 99 years to provide affordable housing to natural persons or families meeting the extremely-low-income, very-low-income, low-income, or moderate-income limits specified in s. 420.0004. The agreement must include a provision for a penalty for ceasing to provide affordable housing under the agreement before the end of the agreement term that is equal to 100 percent of the total amount financed by the corporation multiplied by each year remaining in the agreement. The agreement may be terminated or modified without penalty if the exemption under this subsection is repealed.

The property is no longer eligible for this exemption if the property no longer serves extremely-low-income, very-low-income, low-income persons pursuant to the recorded agreement.

(c) To be eligible to receive the exemption under this subsection, the property owner must submit an application to the property appraiser by March 1. The property appraiser shall review the application and determine whether the applicant meets all of the requirements of this subsection and is entitled to an exemption. A property appraiser may request and review additional information necessary to make such determination.

(d)1. The property appraiser shall apply the exemption to those portions of the affordable housing property that provide housing to natural persons or families meeting the extremely-low-income, very-low-income, or low-income limits specified in s. 420.0004 before certifying the tax roll to the tax collector.

2. When determining the value of the portion of property used to provide affordable housing for purposes of applying an exemption pursuant to this subsection, the property appraiser must include in such valuation the proportionate share of the residential common areas, including the land, fairly attributable to such portion of property.

(e) If the property appraiser determines that for any year a person who was not entitled to an exemption under this subsection was granted such an exemption, the property appraiser must serve upon the owner a notice of intent to record in the public records of the county a notice of tax lien against any property owned by that person in the county, and that property must be identified in the notice of tax lien. Any property owned by the taxpayer and situated in this state is subject to the taxes exempted by the improper exemption, plus a penalty of 50 percent of the unpaid taxes for each year and interest at a rate of 15 percent per annum. If an exemption is improperly granted as a result of a clerical mistake or an omission by the property appraiser, the property owner improperly receiving the exemption may not be assessed a penalty or interest.

(f) Property receiving an exemption pursuant to subsection (3) or s. 196.1979 is not eligible for this exemption.

(g) This subsection first applies to the 2026 tax roll.

Section 17. *The amendments made by this act to ss. 193.155, 193.703, 196.011, 196.031, 196.075, and 196.161, Florida Statutes, first apply beginning with the 2025 property tax roll.*

Section 18. Present subsections (6), (7), and (8) of section 201.08, Florida Statutes, are redesignated as subsections (7), (8), and (9), respectively, a new subsection (6) is added to that section, and paragraph (b) of subsection (1) of that section is republished, to read:

201.08 Tax on promissory or nonnegotiable notes, written obligations to pay money, or assignments of wages or other compensation; exception.—

(1)

(b) On mortgages, trust deeds, security agreements, or other evidences of indebtedness filed or recorded in this state, and for each renewal of the same, the tax shall be 35 cents on each $100 or fraction thereof of the indebtedness or obligation evidenced thereby. Mortgages, including, but not limited to, mortgages executed without the state and recorded in the state, which incorporate the certificate of indebtedness, not otherwise shown in separate instruments, are subject to the same tax at the same rate. When there is both a mortgage, trust deed, or security agreement and a note, certificate of indebtedness, or obligation, the tax shall be paid on the mortgage, trust deed, or security agreement at the time of recordation. A notation shall be made on the note, certificate of indebtedness, or obligation that the tax has been paid on the mortgage, trust deed, or security agreement. If a mortgage, trust deed, security agreement, or other evidence of indebtedness is subsequently filed or recorded in this state to evidence an indebtedness or obligation upon which tax was paid under paragraph (a) or subsection (2), tax shall be paid on the mortgage, trust deed, security agreement, or other evidence of indebtedness on the amount of the indebtedness or obligation evidenced which exceeds the aggregate amount upon which tax was previously paid under this paragraph and under paragraph (a) or subsection (2). If the mortgage, trust deed, security agreement, or other evidence of indebtedness subject to the tax levied by this section secures future advances, as provided in s. 697.04, the tax shall be paid at the time of recordation on the initial debt or obligation secured, excluding future advances; at the time and so often as any future advance is made, the tax shall be paid on all sums then advanced regardless of where such advance is made. Notwithstanding the aforestated general rule, any increase in the amount of original indebtedness caused by interest accruing under an adjustable rate note or mortgage having an initial interest rate adjustment interval of not less than 6 months shall be taxable as a future advance only to the extent such increase is a computable sum certain when the document is executed. Failure to pay the tax shall not affect the lien for any such future advance given by s. 697.04, but any person who fails or refuses to pay such tax due by him or her is guilty of a misdemeanor of the first degree. The mortgage, trust deed, or other instrument shall not be enforceable in any court of this state as to any such advance unless and until the tax due thereon upon each advance that may have been made thereunder has been paid.

(6) For a home equity conversion mortgage as defined in 12 C.F.R. s. 1026.33(a), only the principal limit available to the borrower is subject to the tax imposed in this section. The maximum claim amount and the stated mortgage amount are not subject to the tax imposed in this section. As used in this subsection, the term "principal limit" means the gross amount of loan proceeds available to the borrower without consideration of any use restrictions. For purposes of this subsection, the tax must be calculated based on the principal limit amount determined at the time of closing as evidenced by the recorded mortgage or any supporting documents attached thereto.

Section 19. *The amendment to s. 201.08, Florida Statutes, made by this act is intended to be remedial in nature and shall apply retroactively, but does not create a right to a refund or credit of any tax paid before the effective date of this act. For any home equity conversion mortgage recorded before the effective date of this act, the taxpayer may evidence the principal limit using related loan documents.*

Section 20. Section 201.21, Florida Statutes, is amended to read:

201.21 Notes and other written obligations exempt under certain conditions.—

(1) There shall be exempt from all excise taxes imposed by this chapter all promissory notes, nonnegotiable notes, and other written obligations to pay money bearing date subsequent to July 1, 1955, hereinafter referred to as "principal obligations," when the maker thereof shall pledge or deposit with the payee or holder thereof pursuant to any agreement commonly known as a wholesale warehouse mortgage agreement, as collateral security for the payment thereof, any collateral obligation or obligations, as hereinafter defined, provided all excise taxes imposed by this chapter upon or in respect to such collateral obligation or obligations shall have been paid. If the indebtedness evidenced by any such principal obligation shall be in excess of the indebtedness evidenced by such collateral obligation or obligations, the exemption provided by this *subsection* ~~section~~ shall not apply to the amount of such excess indebtedness; and, in such event, the excise taxes imposed by this chapter shall apply and be paid only in respect to such excess of indebtedness of such principal obligation. The term "collateral obligation" as used in this *subsection* ~~section~~ means any note, bond, or other written obligation to pay money secured by mortgage, deed of trust, or other lien upon real or personal property. The pledging of a specific collateral obligation to secure a specific principal obligation, if required under the terms of the agreement, shall not invalidate the exemption provided by this *subsection* ~~section~~. The temporary removal of the document or documents representing one or more collateral obligations for a reasonable commercial purpose, for a period not exceeding 60 days, shall not invalidate the exemption provided by this *subsection* ~~section~~.

(2) There shall be exempt from all excise taxes imposed by this chapter all non-interest-bearing promissory notes, non-interest-bearing nonnegotiable notes, or non-interest-bearing written obligations to pay money, or assignments of salaries, wages, or other compensation made, executed, delivered, sold, transferred, or assigned in the state, and for each renewal of the same, of $3,500 or less, when given by a customer to an alarm system contractor, as defined in s. 489.505, in connection with the sale of an alarm system as defined in s. 489.505.

Section 21. *The amendments to s. 201.21, Florida Statutes, made by this act shall stand repealed on June 30, 2027, unless reviewed and saved from repeal through reenactment by the Legislature. If such amendments are not saved from repeal, the text of s. 201.21, Florida Statutes, shall revert to that in existence on June 30, 2024, except that any amendments to such text other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 22. Subsection (1) of section 206.9931, Florida Statutes, is amended to read:

206.9931 Administrative provisions.—

(1) Any person producing in, importing into, or causing to be imported into this state taxable pollutants for sale, use, or otherwise and who is not registered or licensed pursuant to other parts of this chapter is hereby required to register and become licensed for the purposes of this part. Such person shall register as either a producer or importer of pollutants and shall be subject to all applicable registration and licensing provisions of this chapter, as if fully set out in this part and made expressly applicable to the taxes imposed herein, including, but not limited to, ss. 206.02-206.025, 206.03, 206.04, and 206.05. For the purposes of this section, registrations required exclusively for this part shall be made within 90 days of July 1, 1986, for existing businesses, or *before* ~~prior to~~ the first production or importation of pollutants for businesses created after July 1, 1986. ~~The fee for registration shall be $30.~~ Failure to timely register is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 23. Section 206.9955, Florida Statutes, is amended to read:

206.9955 Levy of natural gas fuel tax.—

(1) The motor fuel equivalent gallon means the following for:

(a) Compressed natural gas gallon: 5.66 pounds, or per each 126.67 cubic feet.

(b) Liquefied natural gas gallon: 6.06 pounds.

(c) Liquefied petroleum gas gallon: 1.35 gallons.

(2) ~~Effective January 1, 2026,~~ The following taxes shall be imposed:

(a) *Upon each motor fuel equivalent gallon of natural gas fuel:*

1. Effective January 1, 2026, and until December 31, 2026, an excise tax of *2* ~~4~~ cents ~~upon each motor fuel equivalent gallon of natural gas fuel~~.

2. Effective January 1, 2027, an excise tax of 4 cents.

(b) *Upon each motor fuel equivalent gallon of natural gas fuel, which is designated as the "ninth-cent fuel tax":*

1. Effective January 1, 2026, and until December 31, 2026, an additional tax of *0.5 cents.* ~~1 cent upon each motor fuel equivalent gallon of natural gas fuel, which is designated as the "ninth-cent fuel tax."~~

2. Effective January 1, 2027, an additional tax of 1 cent.

(c) *Upon each motor fuel equivalent gallon of natural gas fuel by each county, which is designated as the "local option fuel tax":*

1. Effective January 1, 2026, and until December 31, 2026, an additional tax of *0.5 cents.* ~~1 cent on each motor fuel equivalent gallon of natural gas fuel by each county, which is designated as the "local option fuel tax."~~

2. Effective January 1, 2027, an additional tax of 1 cent.

(d) An additional tax on each motor fuel equivalent gallon of natural gas fuel, which is designated as the "State Comprehensive Enhanced Transportation System Tax," at a rate determined pursuant to this paragraph.

1. Before January 1, 2026, ~~and each year thereafter,~~ the department shall determine the tax rate applicable to the sale of natural gas fuel for the following 12-month period beginning January 1, rounded to the nearest tenth of a cent, by adjusting the tax rate of *2.9* ~~5.8~~ cents per gallon by the percentage change in the average of the Consumer Price Index issued by the United States Department of Labor for the most recent 12-month period ending September 30, compared to the base year average, which is the average for the 12-month period ending September 30, 2013.

2. Before January 1, 2027, and each year thereafter, the department shall determine the tax rate applicable to the sale of natural gas fuel for the following 12-month period beginning January 1, rounded to the nearest tenth of a cent, by adjusting the tax rate of 5.8 cents per gallon by the percentage change in the average of the Consumer Price Index issued by the United States Department of Labor for the most recent 12-month period ending September 30, compared to the base year average, which is the average for the 12-month period ending September 30, 2013.

(e)1. An additional tax is imposed on each motor fuel equivalent gallon of natural gas fuel for the privilege of selling natural gas fuel*, at a rate determined pursuant to this subparagraph*.

a. Before January 1, 2026, ~~and each year thereafter,~~ the department shall determine the tax rate applicable to the sale of natural gas fuel, rounded to the nearest tenth of a cent, for the following 12-month period beginning January 1, by adjusting the tax rate of *4.6* ~~9.2~~ cents per gallon by the percentage change in the average of the Consumer Price Index issued by the United States Department of Labor for the most recent 12-month period ending September 30, compared to the base year average, which is the average for the 12-month period ending September 30, 2013.

b. Before January 1, 2027, and each year thereafter, the department shall determine the tax rate applicable to the sale of natural gas fuel, rounded to the nearest tenth of a cent, for the following 12-month period beginning January 1, by adjusting the tax rate of 9.2 cents per gallon by the percentage change in the average of the Consumer Price Index issued by the United States Department of Labor for the most recent 12-month period ending September 30, compared to the base year average, which is the average for the 12-month period ending September 30, 2013.

2. The department is authorized to adopt rules and publish forms to administer this paragraph.

(3) Unless otherwise provided by this chapter, the taxes specified in subsection (2) are imposed on natural gas fuel when it is placed into the fuel supply tank of a motor vehicle as defined in s. 206.01(23). The person liable for payment of the taxes imposed by this section is the person selling or supplying the natural gas fuel to the end user, for use in the fuel supply tank of a motor vehicle as defined in s. 206.01(23).

Section 24. For the purpose of incorporating the amendment made by this act to section 206.9955, Florida Statutes, in references thereto, subsections (1) and (4) of section 206.996, Florida Statutes, are reenacted to read:

206.996 Monthly reports by natural gas fuel retailers; deductions.—

(1) For the purpose of determining the amount of taxes imposed by s. 206.9955, each natural gas fuel retailer shall file beginning with February 2026, and each month thereafter, no later than the 20th day of each month, monthly reports electronically with the department showing information on inventory, purchases, nontaxable disposals, taxable uses, and taxable sales in gallons of natural gas fuel for the preceding month. However, if the 20th day of the month falls on a Saturday, Sunday, or federal or state legal holiday, a return must be accepted if it is electronically filed on the next succeeding business day. The reports must include, or be verified by, a written declaration stating that such report is made under the penalties of perjury. The natural gas fuel retailer shall deduct from the amount of taxes shown by the report to be payable an amount equivalent to 0.67 percent of the taxes on natural gas fuel imposed by s. 206.9955(2)(a) and (e), which deduction is allowed to the natural gas fuel retailer to compensate it for services rendered and expenses incurred in complying with the requirements of this part. This allowance is not deductible unless payment of applicable taxes is made on or before the 20th day of the month. This subsection may not be construed as authorizing a deduction from the constitutional fuel tax or the fuel sales tax.

(4) In addition to the allowance authorized by subsection (1), every natural gas fuel retailer is entitled to a deduction of 1.1 percent of the taxes imposed under s. 206.9955(2)(b) and (c), on account of services and expenses incurred due to compliance with the requirements of this part. This allowance may not be deductible unless payment of the tax is made on or before the 20th day of the month.

Section 25. For the purpose of incorporating the amendment made by this act to section 206.9955, Florida Statutes, in references thereto, section 206.997, Florida Statutes, is reenacted to read:

206.997 State and local alternative fuel user fee clearing trust funds; distribution.—

(1) Notwithstanding the provisions of s. 206.875, the revenues from the state natural gas fuel tax imposed by s. 206.9955(2)(a), (d), and (e) shall be deposited into the State Alternative Fuel User Fee Clearing Trust Fund. After deducting the service charges provided in s. 215.20, the proceeds in this trust fund shall be distributed as follows: the taxes imposed under s. 206.9955(2)(d) and (e) shall be transferred to the State Transportation Trust Fund and the tax imposed under s. 206.9955(2)(a) shall be distributed as follows: 50 percent shall be transferred to the State Board of Administration for distribution according to the provisions of s. 16, Art. IX of the State Constitution of 1885, as amended; 25 percent shall be transferred to the Revenue Sharing Trust Fund for Municipalities; and the remaining 25 percent shall be distributed using the formula contained in s. 206.60(1).

(2) Notwithstanding the provisions of s. 206.875, the revenues from the local natural gas fuel tax imposed by s. 206.9955(2)(b) and (c) shall be deposited into The Local Alternative Fuel User Fee Clearing Trust Fund. After deducting the service charges provided in s. 215.20, the proceeds in this trust fund shall be returned monthly to the appropriate county.

Section 26. Section 211.0254, Florida Statutes, is created to read:

211.0254 Child care tax credits.—Beginning January 1, 2024, there is allowed a credit pursuant to s. 402.261 against any tax imposed by the state due under s. 211.02 or s. 211.025. However, the combined credit allowed under this section and ss. 211.0251, 211.0252, and 211.0253 may not exceed 50 percent of the tax due on the return on which the credit is taken. If the combined credit allowed under the foregoing sections exceeds 50 percent of the tax due on the return, the credit must first be taken under s. 211.0251, then under s. 211.0253, then under s. 211.0252. Any remaining liability must be taken under this section but may not exceed 50 percent of the tax due. For purposes of the distributions of tax

revenue under s. 211.06, the department shall disregard any tax credits allowed under this section to ensure that any reduction in tax revenue received which is attributable to the tax credits results only in a reduction in distributions to the General Revenue Fund. The provisions of s. 402.261 apply to the credit authorized by this section.

Section 27. Paragraph (d) of subsection (2) of section 212.0306, Florida Statutes, is amended to read:

212.0306 Local option food and beverage tax; procedure for levying; authorized uses; administration.—

(2)

(d) Sales in cities or towns presently imposing a municipal resort tax as authorized by chapter 67-930, Laws of Florida, are exempt from the taxes authorized by subsection (1); however, the tax authorized by paragraph (1)(b) may be levied in such city or town if the governing authority of the city or town adopts an ordinance that is subsequently approved by a majority of the ~~registered~~ electors in such city or town *voting in* ~~at~~ a referendum held at a general election as defined in s. 97.021. Any tax levied in a city or town pursuant to this paragraph takes effect on the first day of January following the general election in which the ordinance was approved. A referendum to reenact an expiring tax authorized under this paragraph must be held at a general election occurring within the 48-month period immediately preceding the effective date of the reenacted tax, and the referendum may appear on the ballot only once within the 48-month period.

Section 28. Paragraphs (a) and (c) of subsection (1) of section 212.05, Florida Statutes, are amended to read:

212.05 Sales, storage, use tax.—It is hereby declared to be the legislative intent that every person is exercising a taxable privilege who engages in the business of selling tangible personal property at retail in this state, including the business of making or facilitating remote sales; who rents or furnishes any of the things or services taxable under this chapter; or who stores for use or consumption in this state any item or article of tangible personal property as defined herein and who leases or rents such property within the state.

(1) For the exercise of such privilege, a tax is levied on each taxable transaction or incident, which tax is due and payable as follows:

(a)1.a. At the rate of 6 percent of the sales price of each item or article of tangible personal property when sold at retail in this state, computed on each taxable sale for the purpose of remitting the amount of tax due the state, and including each and every retail sale.

b. Each occasional or isolated sale of an aircraft, boat, mobile home, or motor vehicle of a class or type which is required to be registered, licensed, titled, or documented in this state or by the United States Government shall be subject to tax at the rate provided in this paragraph. The department shall by rule adopt any nationally recognized publication for valuation of used motor vehicles as the reference price list for any used motor vehicle which is required to be licensed pursuant to s. 320.08(1), (2), (3)(a), (b), (c), or (e), or (9). If any party to an occasional or isolated sale of such a vehicle reports to the tax collector a sales price which is less than 80 percent of the average loan price for the specified model and year of such vehicle as listed in the most recent reference price list, the tax levied under this paragraph shall be computed by the department on such average loan price unless the parties to the sale have provided to the tax collector an affidavit signed by each party, or other substantial proof, stating the actual sales price. Any party to such sale who reports a sales price less than the actual sales price is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. The department shall collect or attempt to collect from such party any delinquent sales taxes. In addition, such party shall pay any tax due and any penalty and interest assessed plus a penalty equal to twice the amount of the additional tax owed. Notwithstanding any other provision of law, the Department of Revenue may waive or compromise any penalty imposed pursuant to this subparagraph.

2. This paragraph does not apply to the sale of a boat or aircraft by or through a registered dealer under this chapter to a purchaser who, at the time of taking delivery, is a nonresident of this state, does not make his or her permanent place of abode in this state, and is not engaged in carrying on in this state any employment, trade, business, or profession in which the boat or aircraft will be used in this state, or is a corporation none of the officers or directors of which is a resident of, or makes his or her permanent place of abode in, this state, or is a noncorporate entity that has no individual vested with authority to participate in the management, direction, or control of the entity's affairs who is a resident of, or makes his or her permanent abode in, this state. For purposes of this exemption, either a registered dealer acting on his or her own behalf as seller, a registered dealer acting as broker on behalf of a seller, or a registered dealer acting as broker on behalf of the *nonresident* purchaser may be deemed to be the selling dealer. This exemption *is* ~~shall~~ not ~~be~~ allowed unless:

a. The *nonresident* purchaser removes a qualifying boat, as described in sub-subparagraph f., from *this* ~~the~~ state within 90 days after the date of purchase or extension, or the *nonresident* purchaser removes a nonqualifying boat or an aircraft from this state within 10 days after the date of purchase or, when the boat or aircraft is repaired or altered, within 20 days after completion of the repairs or alterations; or if the aircraft will be registered in a foreign jurisdiction and:

(I) Application for the aircraft's registration is properly filed with a civil airworthiness authority of a foreign jurisdiction within 10 days after the date of purchase;

(II) The *nonresident* purchaser removes the aircraft from *this* ~~the~~ state to a foreign jurisdiction within 10 days after the date the aircraft is registered by the applicable foreign airworthiness authority; and

(III) The aircraft is operated in *this* ~~the~~ state solely to remove it from *this* ~~the~~ state to a foreign jurisdiction.

For purposes of this sub-subparagraph, the term "foreign jurisdiction" means any jurisdiction outside of the United States or any of its territories;

b. The *nonresident* purchaser, within 90 days *after* ~~from~~ the date of departure, provides the department with written proof that the *nonresident* purchaser licensed, registered, titled, or documented the boat or aircraft outside *this* ~~the~~ state. If such written proof is unavailable, within 90 days the *nonresident* purchaser *must* ~~shall~~ provide proof that the *nonresident* purchaser applied for such license, title, registration, or documentation. The *nonresident* purchaser shall forward to the department proof of title, license, registration, or documentation upon receipt;

c. The *nonresident* purchaser, within 30 days after removing the boat or aircraft from *this state* ~~Florida~~, furnishes the department with proof of removal in the form of receipts for fuel, dockage, slippage, tiedown, or hangaring from outside of Florida. The information so provided must clearly and specifically identify the boat or aircraft;

d. The selling dealer, within 30 days after the date of sale, provides to the department a copy of the sales invoice, closing statement, bills of sale, and the original affidavit signed by the *nonresident* purchaser *affirming* ~~attesting~~ that *the nonresident purchaser qualifies for exemption from sales tax pursuant to this subparagraph and attesting that the nonresident purchaser will provide the documentation required to substantiate the exemption claimed under* ~~he or she has read the provisions of~~ this *subparagraph* ~~section~~;

e. The seller makes a copy of the affidavit a part of his or her record for as long as required by s. 213.35; and

f. Unless the nonresident purchaser of a boat of 5 net tons of admeasurement or larger intends to remove the boat from this state within 10 days after the date of purchase or when the boat is repaired or altered, within 20 days after completion of the repairs or alterations, the nonresident purchaser applies to the selling dealer for a decal which authorizes 90 days after the date of purchase for removal of the boat. The nonresident purchaser of a qualifying boat may apply to the selling dealer within 60 days after the date of purchase for an extension decal that authorizes the boat to remain in this state for an additional 90 days, but not more than a total of 180 days, before the nonresident purchaser is required to pay the tax imposed by this chapter. The department is authorized to issue decals in advance to dealers. The number of decals issued in advance to a dealer shall be consistent with the volume of the dealer's past sales of boats which qualify under this

sub-subparagraph. The selling dealer or his or her agent shall mark and affix the decals to qualifying boats in the manner prescribed by the department, before delivery of the boat.

(I) The department is hereby authorized to charge dealers a fee sufficient to recover the costs of decals issued, except the extension decal shall cost $425.

(II) The proceeds from the sale of decals will be deposited into the administrative trust fund.

(III) Decals shall display information to identify the boat as a qualifying boat under this sub-subparagraph, including, but not limited to, the decal's date of expiration.

(IV) The department is authorized to require dealers who purchase decals to file reports with the department and may prescribe all necessary records by rule. All such records are subject to inspection by the department.

(V) Any dealer or his or her agent who issues a decal falsely, fails to affix a decal, mismarks the expiration date of a decal, or fails to properly account for decals will be considered prima facie to have committed a fraudulent act to evade the tax and will be liable for payment of the tax plus a mandatory penalty of 200 percent of the tax, and shall be liable for fine and punishment as provided by law for a conviction of a misdemeanor of the first degree, as provided in s. 775.082 or s. 775.083.

(VI) Any nonresident purchaser of a boat who removes a decal before permanently removing the boat from *this* ~~the~~ state, or defaces, changes, modifies, or alters a decal in a manner affecting its expiration date before its expiration, or who causes or allows the same to be done by another, will be considered prima facie to have committed a fraudulent act to evade the tax and will be liable for payment of the tax plus a mandatory penalty of 200 percent of the tax, and shall be liable for fine and punishment as provided by law for a conviction of a misdemeanor of the first degree, as provided in s. 775.082 or s. 775.083.

(VII) The department is authorized to adopt rules necessary to administer and enforce this subparagraph and to publish the necessary forms and instructions.

(VIII) The department is hereby authorized to adopt emergency rules pursuant to s. 120.54(4) to administer and enforce the provisions of this subparagraph.

If the *nonresident* purchaser fails to remove the qualifying boat from this state within the maximum 180 days after purchase or a nonqualifying boat or an aircraft from this state within 10 days after purchase or, when the boat or aircraft is repaired or altered, within 20 days after completion of such repairs or alterations, or permits the boat or aircraft to return to this state within 6 months *after* ~~from~~ the date of departure, except as provided in s. 212.08(7)(fff), or if the *nonresident* purchaser fails to furnish the department with any of the documentation required by this subparagraph within the prescribed time period, the *nonresident* purchaser *is* ~~shall be~~ liable for use tax on the cost price of the boat or aircraft and, in addition thereto, payment of a penalty to the Department of Revenue equal to the tax payable. This penalty *is* ~~shall be~~ in lieu of the penalty imposed by s. 212.12(2). The maximum 180-day period following the sale of a qualifying boat tax-exempt to a nonresident may not be tolled for any reason.

(c) At the rate of 6 percent of the gross proceeds derived from the lease or rental of tangible personal property, as defined herein; however, the following special provisions apply to the lease or rental of motor vehicles and to peer-to-peer car-sharing programs:

1. When a motor vehicle is leased or rented by a motor vehicle rental company or through a peer-to-peer car-sharing program as those terms are defined in s. 212.0606(1) for a period of less than 12 months:

a. If the motor vehicle is rented in Florida, the entire amount of such rental is taxable, even if the vehicle is dropped off in another state.

b. If the motor vehicle is rented in another state and dropped off in Florida, the rental is exempt from Florida tax.

c. If the motor vehicle is rented through a peer-to-peer car-sharing program, the peer-to-peer car-sharing program shall collect and remit the applicable tax due in connection with the rental.

2. Except as provided in subparagraph 3., for the lease or rental of a motor vehicle for a period of not less than 12 months, sales tax is due on the lease or rental payments if the vehicle is registered in this state; provided, however, that no tax shall be due if the taxpayer documents use of the motor vehicle outside this state and tax is being paid on the lease or rental payments in another state.

3. The tax imposed by this chapter does not apply to the lease or rental of a commercial motor vehicle as defined in s. 316.003(14)(a) to one lessee or rentee*, or of a motor vehicle as defined in s. 316.003 which is to be used primarily in the trade or established business of the lessee or rentee,* for a period of not less than 12 months when tax was paid on the purchase price of such vehicle by the lessor. To the extent tax was paid with respect to the purchase of such vehicle in another state, territory of the United States, or the District of Columbia, the Florida tax payable shall be reduced in accordance with s. 212.06(7). This subparagraph shall only be available when the lease or rental of such property is an established business or part of an established business or the same is incidental or germane to such business.

Section 29. Effective upon this act becoming a law, paragraph (b) of subsection (2) and paragraph (a) of subsection (3) of section 212.054, Florida Statutes, are amended, and subsection (9) is added to that section, to read:

212.054 Discretionary sales surtax; limitations, administration, and collection.—

(2)

(b) However:

1. The sales amount above $5,000 on any item of tangible personal property shall not be subject to the surtax. However, charges for prepaid calling arrangements, as defined in s. 212.05(1)(e)1.a., shall be subject to the surtax. For purposes of administering the $5,000 limitation on an item of tangible personal property.~~,~~

a. If two or more taxable items of tangible personal property are sold to the same purchaser at the same time and, under generally accepted business practice or industry standards or usage, are normally sold in bulk or are items that, when assembled, comprise a working unit or part of a working unit, such items must be considered a single item for purposes of the $5,000 limitation when supported by a charge ticket, sales slip, invoice, or other tangible evidence of a single sale or rental.

b. The sale of a boat and the corresponding boat trailer, which trailer is identified as a motor vehicle as defined in s. 320.01(1), must be taxed as a single item when sold to the same purchaser, at the same time, and included in the same invoice.

2. In the case of utility services billed on or after the effective date of any such surtax, the entire amount of the charge for utility services shall be subject to the surtax. In the case of utility services billed after the last day the surtax is in effect, the entire amount of the charge on said items shall not be subject to the surtax. "Utility service," as used in this section, does not include any communications services as defined in chapter 202.

3. In the case of written contracts which are signed prior to the effective date of any such surtax for the construction of improvements to real property or for remodeling of existing structures, the surtax shall be paid by the contractor responsible for the performance of the contract. However, the contractor may apply for one refund of any such surtax paid on materials necessary for the completion of the contract. Any application for refund shall be made no later than 15 months following initial imposition of the surtax in that county. The application for refund shall be in the manner prescribed by the department by rule. A complete application shall include proof of the written contract and of payment of the surtax. The application shall contain a sworn statement, signed by the applicant or its representative, attesting to the validity of the application. The department shall, within 30 days after approval of a complete application, certify to the county information necessary for issuance of a refund to the applicant. Counties are hereby authorized to

issue refunds for this purpose and shall set aside from the proceeds of the surtax a sum sufficient to pay any refund lawfully due. Any person who fraudulently obtains or attempts to obtain a refund pursuant to this subparagraph, in addition to being liable for repayment of any refund fraudulently obtained plus a mandatory penalty of 100 percent of the refund, is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

4. In the case of any vessel, railroad, or motor vehicle common carrier entitled to partial exemption from tax imposed under this chapter pursuant to s. 212.08(4), (8), or (9), the basis for imposition of surtax shall be the same as provided in s. 212.08 and the ratio shall be applied each month to total purchases in this state of property qualified for proration which is delivered or sold in the taxing county to establish the portion used and consumed in intracounty movement and subject to surtax.

(3) For the purpose of this section, a transaction shall be deemed to have occurred in a county imposing the surtax when:

(a)1. The sale includes an item of tangible personal property, a service, or tangible personal property representing a service, and the item of tangible personal property, the service, or the tangible personal property representing the service is delivered within the county. If there is no reasonable evidence of delivery of a service, the sale of a service is deemed to occur in the county in which the purchaser accepts the bill of sale.

2. The sale of any motor vehicle or mobile home of a class or type which is required to be registered in this state or in any other state shall be deemed to have occurred only in the county identified as the residence address of the purchaser on the registration or title document for such property.

3. The sale of property under sub-subparagraph (2)(b)1.b. is deemed to occur in the county where the purchaser resides, as identified on the registration or title documents for such property.

(9) If there has been a final adjudication that any discretionary sales surtax enacted pursuant to ss. 212.054 and 212.055 was enacted, levied, collected, or otherwise found to be contrary to the Constitution of the United States or the State Constitution, this subsection applies. For purposes of this subsection, a "final adjudication" is a final order of a court of competent jurisdiction from which no appeal can be taken or from which no appeal has been taken and the time for such appeal has expired.

(a) If such discretionary sales surtax has been collected, but not expended, any county, municipality, school board, or other entity that received funds from such surtax shall transfer the surtax proceeds, along with any interest earned upon such proceeds, to the department within 60 days from the date of the final adjudication. The department shall deposit all amounts received pursuant to this subsection in a separate account in the Discretionary Sales Surtax Clearing Trust Fund for that county for disposition as follows:

1. If there is no valid discretionary sales surtax being levied within the same county for which a discretionary sales surtax was found to be invalid as described in this subsection, 100 percent of such funds shall be held in reserve for appropriation in the General Appropriations Act that takes effect on the July 1 immediately following the transfer of such funds to the department under this paragraph.

2. If there is a valid discretionary sales surtax being levied within the same county for which a discretionary sales surtax was found to be invalid as described in this subsection:

a. Seventy-five percent of such funds shall be held in reserve for appropriation in the General Appropriations Act that takes effect on the July 1 preceding the discretionary sales surtax suspension in paragraph (b).

b. Twenty-five percent of such funds and all interest earned on all funds held in reserve under this sub-subparagraph shall be held in reserve for appropriation in the General Appropriations Act to be disposed of as provided in paragraph (b).

(b)1. If there are multiple valid discretionary sales surtaxes being levied within the same county for which a discretionary sales surtax was found to be invalid as described in this subsection, such surtaxes, other than the school capital outlay surtax authorized by s. 212.055(6), shall be temporarily suspended beginning October 1 of the calendar year following the calendar year the department receives such surtax proceeds under this paragraph, or January 1, 2025, whichever is later.

2. If there is only one valid discretionary sales surtax being levied within the same county for which a discretionary sales surtax was found to be invalid as described in this subsection, such surtax shall be temporarily suspended beginning October 1 of the calendar year following the calendar year the department receives such surtax proceeds.

3. The department shall continue to distribute moneys in the separate account in the Discretionary Sales Surtax Clearing Trust Fund for that county to such county, municipality, or school board in an amount equal to that which would have been distributed pursuant to all legally levied surtaxes in such county under this section but for the temporary suspension of such surtaxes under this subsection.

4. A county, municipality, or school board that receives funds under this paragraph from a single surtax shall use the funds consistent with the use for which the tax that was temporarily suspended under subparagraph 2. was levied. In case of a suspension pursuant to subparagraph 1., a county shall apportion the funds among the uses of the temporarily suspended discretionary sales surtaxes in proportion to the discretionary sales surtax rates.

5. The temporary suspension of surtaxes under this paragraph shall end on the last day of the month preceding the first month the department estimates that the balance of the separate account within the Discretionary Sales Surtax Clearing Trust Fund for that county will be insufficient to fully make the distribution necessary under subparagraph 3. Any remaining undistributed surtax proceeds shall be transferred to the General Revenue Fund.

6. The department shall monitor the balance of proceeds transferred to the department under this subsection and shall estimate the month in which the temporary discretionary sales surtax suspension will end. At least two months prior to the expiration of the temporary surtax suspension under this paragraph, the department shall provide notice to affected dealers and the public of when the suspension will end.

(c) Subsection (5) does not apply to the temporary suspension of surtaxes provided for under this subsection.

(d) Notwithstanding s. 215.26, any person who would otherwise be entitled to a refund of a discretionary sales surtax that is found to be invalid under this subsection may file a claim for a refund pursuant to the procedures provided in the General Appropriations Act referenced in paragraph (a), to the extent such act provides for refunds. Such refund claim must be filed between July 1 and December 31 of the state fiscal year for such General Appropriations Act.

(e) This subsection expires June 30, 2030.

Section 30. Paragraph (a) of subsection (4) of section 212.055, Florida Statutes, is amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(4) INDIGENT CARE AND TRAUMA CENTER SURTAX.—

(a)1. The governing body in each county *that* ~~the government of which is not consolidated with that of one or more municipalities, which~~ has a population of at least 800,000 residents and is not authorized to levy a surtax under subsection (5), may levy, pursuant to an ordinance ~~either approved by an extraordinary vote of the governing body or~~ conditioned to take effect only upon approval by a majority vote of the

electors of the county voting in a referendum, a discretionary sales surtax at a rate that may not exceed 0.5 percent.

2. ~~If the ordinance is conditioned on a referendum,~~ A statement that includes a brief and general description of the purposes to be funded by the surtax and that conforms to the requirements of s. 101.161 shall be placed on the ballot by the governing body of the county. The following questions shall be placed on the ballot:

FOR THE. . . .CENTS TAX
AGAINST THE. . . .CENTS TAX

3. The ordinance adopted by the governing body providing for the imposition of the surtax shall set forth a plan for providing health care services to qualified residents, as defined in subparagraph 4. Such plan and subsequent amendments to it shall fund a broad range of health care services for both indigent persons and the medically poor, including, but not limited to, primary care and preventive care as well as hospital care. The plan must also address the services to be provided by the Level I trauma center. It shall emphasize a continuity of care in the most cost-effective setting, taking into consideration both a high quality of care and geographic access. Where consistent with these objectives, it shall include, without limitation, services rendered by physicians, clinics, community hospitals, mental health centers, and alternative delivery sites, as well as at least one regional referral hospital where appropriate. It shall provide that agreements negotiated between the county and providers, including hospitals with a Level I trauma center, will include reimbursement methodologies that take into account the cost of services rendered to eligible patients, recognize hospitals that render a disproportionate share of indigent care, provide other incentives to promote the delivery of charity care, promote the advancement of technology in medical services, recognize the level of responsiveness to medical needs in trauma cases, and require cost containment including, but not limited to, case management. It must also provide that any hospitals that are owned and operated by government entities on May 21, 1991, must, as a condition of receiving funds under this subsection, afford public access equal to that provided under s. 286.011 as to meetings of the governing board, the subject of which is budgeting resources for the rendition of charity care as that term is defined in the Florida Hospital Uniform Reporting System (FHURS) manual referenced in s. 408.07. The plan shall also include innovative health care programs that provide cost-effective alternatives to traditional methods of service delivery and funding.

4. For the purpose of this paragraph, the term "qualified resident" means residents of the authorizing county who are:

a. Qualified as indigent persons as certified by the authorizing county;

b. Certified by the authorizing county as meeting the definition of the medically poor, defined as persons having insufficient income, resources, and assets to provide the needed medical care without using resources required to meet basic needs for shelter, food, clothing, and personal expenses; or not being eligible for any other state or federal program, or having medical needs that are not covered by any such program; or having insufficient third-party insurance coverage. In all cases, the authorizing county is intended to serve as the payor of last resort; or

c. Participating in innovative, cost-effective programs approved by the authorizing county.

5. Moneys collected pursuant to this paragraph remain the property of the state and shall be distributed by the Department of Revenue on a regular and periodic basis to the clerk of the circuit court as ex officio custodian of the funds of the authorizing county. The clerk of the circuit court shall:

a. Maintain the moneys in an indigent health care trust fund;

b. Invest any funds held on deposit in the trust fund pursuant to general law;

c. Disburse the funds, including any interest earned, to any provider of health care services, as provided in subparagraphs 3. and 4., upon directive from the authorizing county. However, if a county has a population of at least 800,000 residents and has levied the surtax authorized in this paragraph, notwithstanding any directive from the authorizing county, on October 1 of each calendar year, the clerk of the court shall issue a check in the amount of $6.5 million to a hospital in its jurisdiction that has a Level I trauma center or shall issue a check in the amount of $3.5 million to a hospital in its jurisdiction that has a Level I trauma center if that county enacts and implements a hospital lien law in accordance with chapter 98-499, Laws of Florida. The issuance of the checks on October 1 of each year is provided in recognition of the Level I trauma center status and shall be in addition to the base contract amount received during fiscal year 1999-2000 and any additional amount negotiated to the base contract. If the hospital receiving funds for its Level I trauma center status requests such funds to be used to generate federal matching funds under Medicaid, the clerk of the court shall instead issue a check to the Agency for Health Care Administration to accomplish that purpose to the extent that it is allowed through the General Appropriations Act; and

d. Prepare on a biennial basis an audit of the trust fund specified in sub-subparagraph a. Commencing February 1, 2004, such audit shall be delivered to the governing body and to the chair of the legislative delegation of each authorizing county.

6. Notwithstanding any other provision of this section, a county shall not levy local option sales surtaxes authorized in this paragraph and subsections (2) and (3) in excess of a combined rate of 1 percent.

Section 31. Paragraph (b) of subsection (1) and paragraph (b) of subsection (4) of section 212.11, Florida Statutes, are amended to read:

212.11 Tax returns and regulations.—

(1)

(b)*1.* For the purpose of ascertaining the amount of tax payable under this chapter, it shall be the duty of all dealers to file a return and remit the tax, on or before the 20th day of the month, to the department, upon forms prepared and furnished by it or in a format prescribed by it. Such return must show the rentals, admissions, gross sales, or purchases, as the case may be, arising from all leases, rentals, admissions, sales, or purchases taxable under this chapter during the preceding calendar month.

2. Notwithstanding subparagraph 1. and in addition to any extension or waiver ordered pursuant to s. 213.055, and except as provided in subparagraph 3., a dealer with a certificate of registration issued under s. 212.18 to engage in or conduct business in a county to which an emergency declaration applies in sub-subparagraph b. is granted an automatic 10-calendar-day extension after the due date for filing a return and remitting the tax if all of the following conditions are met:

a. The Governor has ordered or proclaimed a declaration of a state of emergency pursuant to s. 252.36.

b. The declaration is the first declaration for the event giving rise to the state of emergency or expands the counties covered by the initial state of emergency without extending or renewing the period of time covered by the first declaration of a state of emergency.

c. The first day of the period covered by the first declaration for the event giving rise to the state of emergency is within 5 business days before the 20th day of the month.

3. For purposes of subparagraph 2., a dealer who files a consolidated sales and use tax return will be considered to have a certificate of registration in a county to which an emergency declaration applies when the central or main office of the consolidated account is in a county to which an emergency declaration applies.

(4)

(b)*1.* The amount of any estimated tax shall be due, payable, and remitted by electronic funds transfer by the 20th day of the month for which it is estimated. The difference between the amount of estimated tax paid and the actual amount of tax due under this chapter for such month shall be due and payable by the first day of the following month and remitted by electronic funds transfer by the 20th day thereof.

2. Notwithstanding subparagraph 1. and in addition to any extension or waiver ordered pursuant to s. 213.055, and except as provided in

subparagraph 3., a dealer with a certificate of registration issued under s. 212.18 to engage in or conduct business in a county to which an emergency declaration applies in sub-subparagraph b. is granted an automatic 10-calendar-day extension after the due date for filing a return and remitting the tax if all of the following conditions are met:

a. The Governor has ordered or proclaimed a declaration of a state of emergency pursuant to s. 252.36.

b. The declaration is the first declaration for the event giving rise to the state of emergency or expands the counties covered by the initial state of emergency without extending or renewing the period of time covered by the first declaration of a state of emergency.

c. The first day of the period covered by the first declaration for the event giving rise to the state of emergency is within 5 business days before the 20th day of the month.

3. For purposes of subparagraph 2., a dealer who files a consolidated sales and use tax return will be considered to have a certificate of registration in a county to which an emergency declaration applies when the central or main office of the consolidated account is in a county to which an emergency declaration applies.

Section 32. Section 212.1835, Florida Statutes, is created to read:

212.1835 Child care tax credits.—Beginning January 1, 2024, there is allowed a credit pursuant to s. 402.261 against any tax imposed by the state and due under this chapter from a direct pay permitholder as a result of the direct pay permit held pursuant to s. 212.183. For purposes of the dealer's credit granted for keeping prescribed records, filing timely tax returns, and properly accounting and remitting taxes under s. 212.12, the amount of tax due used to calculate the credit must include any expenses or payments from a direct pay permitholder which give rise to a credit under s. 402.261. For purposes of the distributions of tax revenue under s. 212.20, the department shall disregard any tax credits allowed under this section to ensure that any reduction in tax revenue received which is attributable to the tax credits results only in a reduction in distributions to the General Revenue Fund. The provisions of s. 402.261 apply to the credit authorized by this section. A dealer who claims a tax credit under this section must file his or her tax returns and pay his or her taxes by electronic means under s. 213.755.

Section 33. Paragraph (d) of subsection (6) of section 212.20, Florida Statutes, is amended to read:

212.20 Funds collected, disposition; additional powers of department; operational expense; refund of taxes adjudicated unconstitutionally collected.—

(6) Distribution of all proceeds under this chapter and ss. 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

(d) The proceeds of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be distributed as follows:

1. In any fiscal year, the greater of $500 million, minus an amount equal to 4.6 percent of the proceeds of the taxes collected pursuant to chapter 201, or 5.2 percent of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in monthly installments into the General Revenue Fund.

2. After the distribution under subparagraph 1., 8.9744 percent of the amount remitted by a sales tax dealer located within a participating county pursuant to s. 218.61 shall be transferred into the Local Government Half-cent Sales Tax Clearing Trust Fund. Beginning July 1, 2003, the amount to be transferred shall be reduced by 0.1 percent, and the department shall distribute this amount to the Public Employees Relations Commission Trust Fund less $5,000 each month, which shall be added to the amount calculated in subparagraph 3. and distributed accordingly.

3. After the distribution under subparagraphs 1. and 2., 0.0966 percent shall be transferred to the Local Government Half-cent Sales Tax Clearing Trust Fund and distributed pursuant to s. 218.65.

4. After the distributions under subparagraphs 1., 2., and 3., 2.0810 percent of the available proceeds shall be transferred monthly to the Revenue Sharing Trust Fund for Counties pursuant to s. 218.215.

5. After the distributions under subparagraphs 1., 2., and 3., 1.3653 percent of the available proceeds shall be transferred monthly to the Revenue Sharing Trust Fund for Municipalities pursuant to s. 218.215. If the total revenue to be distributed pursuant to this subparagraph is at least as great as the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, no municipality shall receive less than the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000. If the total proceeds to be distributed are less than the amount received in combination from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, each municipality shall receive an amount proportionate to the amount it was due in state fiscal year 1999-2000.

6. Of the remaining proceeds:

a. In each fiscal year, the sum of $29,915,500 shall be divided into as many equal parts as there are counties in the state, and one part shall be distributed to each county. The distribution among the several counties must begin each fiscal year on or before January 5th and continue monthly for a total of 4 months. If a local or special law required that any moneys accruing to a county in fiscal year 1999-2000 under the then-existing provisions of s. 550.135 be paid directly to the district school board, special district, or a municipal government, such payment must continue until the local or special law is amended or repealed. The state covenants with holders of bonds or other instruments of indebtedness issued by local governments, special districts, or district school boards before July 1, 2000, that it is not the intent of this subparagraph to adversely affect the rights of those holders or relieve local governments, special districts, or district school boards of the duty to meet their obligations as a result of previous pledges or assignments or trusts entered into which obligated funds received from the distribution to county governments under then-existing s. 550.135. This distribution specifically is in lieu of funds distributed under s. 550.135 before July 1, 2000.

b. The department shall distribute $166,667 monthly to each applicant certified as a facility for a new or retained professional sports franchise pursuant to s. 288.1162. Up to $41,667 shall be distributed monthly by the department to each certified applicant as defined in s. 288.11621 for a facility for a spring training franchise. However, not more than $416,670 may be distributed monthly in the aggregate to all certified applicants for facilities for spring training franchises. Distributions begin 60 days after such certification and continue for not more than 30 years, except as otherwise provided in s. 288.11621. A certified applicant identified in this sub-subparagraph may not receive more in distributions than expended by the applicant for the public purposes provided in s. 288.1162(5) or s. 288.11621(3).

c. The department shall distribute up to $83,333 monthly to each certified applicant as defined in s. 288.11631 for a facility used by a single spring training franchise, or up to $166,667 monthly to each certified applicant as defined in s. 288.11631 for a facility used by more than one spring training franchise. Monthly distributions begin 60 days after such certification or July 1, 2016, whichever is later, and continue for not more than 20 years to each certified applicant as defined in s. 288.11631 for a facility used by a single spring training franchise or not more than 25 years to each certified applicant as defined in s. 288.11631 for a facility used by more than one spring training franchise. A certified applicant identified in this sub-subparagraph may not receive more in distributions than expended by the applicant for the public purposes provided in s. 288.11631(3).

d. The department shall distribute $15,333 monthly to the State Transportation Trust Fund.

e.(I) On or before July 25, 2021, August 25, 2021, and September 25, 2021, the department shall distribute $324,533,334 in each of those months to the Unemployment Compensation Trust Fund, less an adjustment for refunds issued from the General Revenue Fund pursuant to s. 443.131(3)(e)3. before making the distribution. The adjustments made by the department to the total distributions shall be equal to the

total refunds made pursuant to s. 443.131(3)(e)3. If the amount of refunds to be subtracted from any single distribution exceeds the distribution, the department may not make that distribution and must subtract the remaining balance from the next distribution.

(II) Beginning July 2022, and on or before the 25th day of each month, the department shall distribute $90 million monthly to the Unemployment Compensation Trust Fund.

(III) If the ending balance of the Unemployment Compensation Trust Fund exceeds $4,071,519,600 on the last day of any month, as determined from United States Department of the Treasury data, the Office of Economic and Demographic Research shall certify to the department that the ending balance of the trust fund exceeds such amount.

(IV) This sub-subparagraph is repealed, and the department shall end monthly distributions under sub-sub-subparagraph (II), on the date the department receives certification under sub-sub-subparagraph (III).

f. Beginning July 1, 2023, in each fiscal year, the department shall distribute $27.5 million to the Florida Agricultural Promotional Campaign Trust Fund under s. 571.26, for further distribution in accordance with s. 571.265. ~~This sub-subparagraph is repealed June 30, 2025.~~

7. All other proceeds must remain in the General Revenue Fund.

Section 34. Subsection (11) is added to section 213.21, Florida Statutes, to read:

213.21 Informal conferences; compromises.—

(11)(a) The department may consider a request to settle or compromise any tax, interest, penalty, or other liability under this section after the time to challenge an assessment or a denial of a refund under s. 72.011 has expired if the taxpayer demonstrates that the failure to initiate a timely challenge was due to any of the following:

1. The death or life-threatening injury or illness of:

a. The taxpayer;

b. An immediate family member of the taxpayer; or

c. An individual with substantial responsibility for the management or control of the taxpayer.

2. An act of war or terrorism.

3. A natural disaster, fire, or other catastrophic loss.

(b) The department may not consider a request received more than 180 days after the time has expired for contesting it under s. 72.011.

(c) Any decision by the department regarding a taxpayer's request to compromise or settle a liability under this subsection is not subject to review under chapter 120.

Section 35. Subsections (1), (3), and (6) of section 213.67, Florida Statutes, are amended to read:

213.67 Garnishment.—

(1) If a person is delinquent in the payment of any taxes, penalties, ~~and~~ interest*, costs, surcharges, and fees* owed to the department, the executive director or his or her designee may give notice of the amount of such delinquency by registered mail, by personal service, or by electronic means, including, but not limited to, facsimile transmissions, electronic data interchange, or use of the Internet, to all persons having in their possession or under their control any credits or personal property, exclusive of wages, belonging to the delinquent taxpayer, or owing any debts to such delinquent taxpayer at the time of receipt by them of such notice. Thereafter, any person ~~who has been~~ notified may not transfer or make any other disposition of such credits, other personal property, or debts until the executive director or his or her designee consents to a transfer or disposition or until 60 days after the receipt of such notice. However, the credits, other personal property, or debts that exceed the delinquent amount stipulated in the notice are not subject to this section, wherever held, if the taxpayer does not have a prior history of tax delinquencies. If during the effective period of the notice to withhold, any person so notified makes any transfer or disposition of the property or debts required to be withheld under this section, he or she is liable to the state for any indebtedness owed to the department by the person with respect to whose obligation the notice was given to the extent of the value of the property or the amount of the debts thus transferred or paid if, solely by reason of such transfer or disposition, the state is unable to recover the indebtedness of the person with respect to whose obligation the notice was given. If the delinquent taxpayer contests the intended levy in circuit court or under chapter 120, the notice under this section remains effective until that final resolution of the contest. Any financial institution receiving such notice *maintains* ~~will maintain~~ a right of setoff for any transaction involving a debit card occurring on or before the date of receipt of such notice.

(3) During the last 30 days of the 60-day period set forth in subsection (1), the executive director or his or her designee may levy upon such credits, other personal property, or debts. The levy must be accomplished by delivery of a notice of levy by registered mail, *by personal service, or by electronic means, including, but not limited to, facsimile transmission or an electronic data exchange process using a web interface.* Upon receipt of *the notice of levy,* ~~which~~ the person possessing the credits, other personal property, or debts *must* ~~shall~~ transfer them to the department or pay to the department the amount owed to the delinquent taxpayer.

(6)(a) Levy may be made under subsection (3) upon credits, other personal property, or debt of any person with respect to any unpaid tax, penalties, ~~and~~ interest*, costs, surcharges, and fees authorized by law* only after the executive director or his or her designee has notified such person in writing of the intention to make such levy.

(b) No less than 30 days before the day of the levy, the notice of intent to levy required under paragraph (a) *must* ~~shall~~ be given in person or sent by certified or registered mail to the person's last known address.

(c) The notice required in paragraph (a) must include a brief statement that sets forth in simple and nontechnical terms:

1. The provisions of this section relating to levy and sale of property;

2. The procedures applicable to the levy under this section;

3. The administrative and judicial appeals available to the taxpayer with respect to such levy and sale, and the procedures relating to such appeals; and

4. *Any* ~~The~~ alternatives~~, if any,~~ available to taxpayers which could prevent levy on the property.

Section 36. Subsection (8) of section 220.02, Florida Statutes, is amended to read:

220.02 Legislative intent.—

(8) It is the intent of the Legislature that credits against either the corporate income tax or the franchise tax be applied in the following order: those enumerated in s. 631.828, those enumerated in s. 220.191, those enumerated in s. 220.181, those enumerated in s. 220.183, those enumerated in s. 220.182, those enumerated in s. 220.1895, those enumerated in s. 220.195, those enumerated in s. 220.184, those enumerated in s. 220.186, those enumerated in s. 220.1845, those enumerated in s. 220.19, those enumerated in s. 220.185, those enumerated in s. 220.1875, those enumerated in s. 220.1876, those enumerated in s. 220.1877, those enumerated in s. 220.1878, those enumerated in s. 220.193, those enumerated in former s. 288.9916, those enumerated in former s. 220.1899, those enumerated in former s. 220.194, those enumerated in s. 220.196, those enumerated in s. 220.198, those enumerated in s. 220.1915, those enumerated in s. 220.199, ~~and~~ those enumerated in s. 220.1991*, and those enumerated in s. 220.1992*.

Section 37. Effective upon this act becoming a law, paragraph (n) of subsection (1) and paragraph (c) of subsection (2) of section 220.03, Florida Statutes, are amended to read:

220.03 Definitions.—

(1) SPECIFIC TERMS.—When used in this code, and when not otherwise distinctly expressed or manifestly incompatible with the intent thereof, the following terms shall have the following meanings:

(n) "Internal Revenue Code" means the United States Internal Revenue Code of 1986, as amended and in effect on January 1, *2024* ~~2023~~, except as provided in subsection (3).

(2) DEFINITIONAL RULES.—When used in this code and neither otherwise distinctly expressed nor manifestly incompatible with the intent thereof:

(c) Any term used in this code has the same meaning as when used in a comparable context in the Internal Revenue Code and other statutes of the United States relating to federal income taxes, as such code and statutes are in effect on January 1, *2024* ~~2023~~. However, if subsection (3) is implemented, the meaning of a term shall be taken at the time the term is applied under this code.

Section 38. *(1) The amendment made by this act to s. 220.03, Florida Statutes, operates retroactively to January 1, 2024.*

(2) This section shall take effect upon becoming a law.

Section 39. Section 220.19, Florida Statutes, is amended to read:

220.19 Child care tax credits.—

(1) *For taxable years beginning on or after January 1, 2024, there is allowed a credit pursuant to s. 402.261 against any tax due for a taxable year under this chapter after the application of any other allowable credits by the taxpayer. The credit must be earned pursuant to s. 402.261 on or before the date the taxpayer is required to file a return pursuant to s. 220.222.* ~~If the credit granted under this section is not fully used in any one year because of insufficient tax liability on the part of the corporation, the unused amount may be carried forward for a period not to exceed 5 years. The carryover credit may be used in a subsequent year when the tax imposed by this chapter for that year exceeds the credit for which the corporation is eligible in that year under this section after applying the other credits and unused carryovers in the order provided by s. 220.02(8).~~

(2) *A taxpayer that files a consolidated return in this state as a member of an affiliated group under s. 220.131(1) may be allowed the credit on a consolidated return basis; however, the total credit taken by the affiliated group is subject to the limitation established under s. 402.261(2)(d).* ~~If a corporation receives a credit for child care facility startup costs, and the facility fails to operate for at least 5 years, a pro rata share of the credit must be repaid, in accordance with the formula:~~

~~A = C x (1 – (N/60))~~

~~Where:~~

~~(a) "A" is the amount in dollars of the required repayment.~~

~~(b) "C" is the total credits taken by the corporation for child care facility startup costs.~~

~~(c) "N" is the number of months the facility was in operation.~~

~~This repayment requirement is inapplicable if the corporation goes out of business or can demonstrate to the department that its employees no longer want to have a child care facility.~~

(3) The provisions of s. 402.261 apply to the credit authorized by this section.

(4) If a taxpayer applies and is approved for a credit under s. 402.261 after timely requesting an extension to file under s. 220.222(2):

(a) The credit does not reduce the amount of tax due for purposes of the department's determination as to whether the taxpayer was in compliance with the requirement to pay tentative taxes under ss. 220.222 and 220.32.

(b) The taxpayer's noncompliance with the requirement to pay tentative taxes shall result in the revocation and rescindment of any such credit.

(c) The taxpayer shall be assessed for any taxes, penalties, or interest due from the taxpayer's noncompliance with the requirement to pay tentative taxes.

(5) For purposes of calculating the underpayment of estimated corporate income taxes under s. 220.34, the final amount due is the amount after credits earned under this section are deducted. For purposes of determining if a penalty or interest under s. 220.34(2)(d)1. will be imposed for underpayment of estimated corporate income tax, a taxpayer may, after earning a credit under this section, reduce any estimated payment in that taxable year by the amount of the credit.

Section 40. Subsections (1) through (4) of section 220.1915, Florida Statutes, are amended to read:

220.1915 Credit for qualified railroad reconstruction or replacement expenditures.—

(1) For purposes of this section:

(a) "Qualified expenditures" means gross expenditures made in this state by a qualifying railroad during the taxable year in which the credit is claimed, provided such expenditures were made on track that was owned or leased by a qualifying railroad *on the last day of the prior calendar year*, and were:

1. For the maintenance, reconstruction, or replacement of railroad infrastructure, including track, roadbed, bridges, industrial leads and sidings, or track-related structures which were owned or leased by the qualifying railroad; or

2. For new construction by the qualifying railroad of industrial leads, switches, spurs and sidings, and extensions of existing sidings located in this state.

(b) "Qualifying railroad" means any ~~taxpayer that was a~~ Class II or Class III railroad operating in this state on the last day of the *calendar year prior to the* taxable year for which the credit is claimed, pursuant to the classifications in effect for that year as set by the United States Surface Transportation Board or its successor.

(2)(a) For taxable years beginning on or after January 1, 2023, a qualifying railroad is eligible for a credit against the tax imposed by this chapter if it has qualified expenditures in this state in the taxable year.

(b) The credit allowed under this section is equal to 50 percent of a qualifying railroad's qualified expenditures incurred in this state in the taxable year, as limited by paragraph (c).

(c) The amount of the credit may not exceed the product of $3,500 and the number of miles of railroad track owned or leased within this state by the qualifying railroad as of the end of the *calendar year prior to the* taxable year in which the qualified expenditures were incurred. *The Department of Transportation shall certify to the department the number of miles of railroad track within this state that each qualifying railroad owned or leased on the last day of each calendar year. Such certification must be provided to the department no later than the last business day of January for the prior year ending December 31.*

(3)(a) A qualifying railroad must submit to the department ~~with its return~~ an application including any documentation or information required by the department to demonstrate eligibility for the credit allowed under this section. *Such application must specify the taxable year for which the credit is requested, and may be filed at any time during that taxable year once the qualifying expenditures have been made. The application must be filed no later than May 1 of the year following the year in which the qualifying expenditures were made.*

(b) *Only one application may be filed per qualifying railroad per taxable year.* ~~If the qualifying railroad is not a taxpayer under this chapter, the qualifying railroad must submit the required application including any documentation or information required by the department directly to the department no later than May 1 of the calendar year following the year in which the qualified expenditures were made, in accordance with rules adopted by the department.~~

(c) The qualifying railroad must include an affidavit certifying that all information contained in the application is true and correct, and supporting documentation must include *any relevant information, as*

determined by the rules of the department, to verify eligibility of qualified expenditures made in this state for the credit allowed under this section. The supporting documentation must include, but is not limited to, the following:

1. The number of track miles owned or leased in this state by the qualifying railroad on the last day of the prior calendar year. If this number is different than the number provided by the Department of Transportation under paragraph (2)(c), the department shall use the number of miles provided by the Department of Transportation to calculate the limitation for the credit under that paragraph.

2. The total amount and description of each qualified expenditure.

3. Financial receipts or other records necessary to verify the accuracy of the information submitted pursuant to this subsection.

4. If a copy of any Internal Revenue Service Form 8900, or its equivalent, *is* ~~if such documentation was~~ filed with the Internal Revenue Service for any credit under 26 U.S.C. s. 45G for which the federal credit related in whole or in part to the qualified expenditures in this state for which the credit is sought*, such form shall be provided to the department within 60 days of submission to the Internal Revenue Service. Approval of this credit shall not be delayed until, or contingent upon, receipt of such form. The department shall retain such form for any qualifying railroad that is a taxpayer under this chapter along with records related to the credit until the taxable period covered by the form is no longer subject to review or audit by the department*.

(d) ~~If the qualifying railroad is a taxpayer under this chapter and the credit earned exceeds the taxpayer's liability under this chapter for that year, or if the qualifying railroad is not a taxpayer under this chapter,~~ The department must issue a letter to the qualifying railroad within 30 days after receipt of the completed application indicating the amount of the approved credit ~~available for carryover or transfer in accordance with subsection (4)~~.

(e) The department may consult with the Department of Transportation regarding the qualifications, ownership, or classification of any qualifying railroad applying for a credit under this section. The Department of Transportation shall provide technical assistance, when requested by the department, on any technical audits performed pursuant to this section*, in addition to providing the annual certification under paragraph (2)(c)*.

(4)(a) If the credit granted under this section is not fully used in any one taxable year because of insufficient tax liability on the part of the qualifying railroad, or because the qualifying railroad is not subject to tax under this chapter, the unused amount may be carried forward for a period not to exceed 5 taxable years or may be transferred in accordance with paragraph (b). The carryover or transferred credit may be used in *the year approved or* any of the 5 subsequent taxable years, when the tax imposed by this chapter for that taxable year exceeds the credit for which the qualifying railroad or transferee under paragraph (b) is eligible in that taxable year under this subsection, after applying the other credits and unused carryovers in the order provided by s. 220.02(8).

(b)1. The credit under this section may be transferred*, in whole or in part*:

a. By written agreement to a taxpayer subject to the tax under this chapter and that either transports property using the rail facilities of *any* ~~the~~ qualifying railroad or furnishes railroad-related property or services*, as those terms are defined in 26 C.F.R. s. 1.45G-1(b),* to any railroad operating in this state, or is a railroad~~, as those terms are defined in 26 C.F.R. s. 1.45G-1(b)~~; and

b. At any time *after receipt of approval in paragraph (3)(d), or* during the 5 taxable years following the taxable year the credit was originally earned by the qualifying railroad.

2. The written agreement required for transfer under this paragraph shall:

a. Be filed jointly by the qualifying railroad and the transferee with the department within 30 days after the transfer, in accordance with rules adopted by the department; and

b. Contain all of the following information: the name, address, and taxpayer identification number for the qualifying railroad and the transferee; the amount of the credit being transferred; the taxable year in which the credit was originally earned by the qualifying railroad; and the remaining taxable years for which the credit may be claimed.

Section 41. Section 220.1992, Florida Statutes, is created to read:

220.1992 Individuals with Unique Abilities Tax Credit Program.—

(1) For purposes of this section, the term:

(a) "Qualified employee" means an individual who has a disability, as that term is defined in s. 413.801, and has been employed for at least 6 months by a qualified taxpayer.

(b) "Qualified taxpayer" means a taxpayer who employs a qualified employee at a business located in this state.

(2) For a taxable year beginning on or after January 1, 2024, a qualified taxpayer is eligible for a credit against the tax imposed by this chapter in an amount up to $1,000 for each qualified employee such taxpayer employed during the taxable year. The tax credit shall equal one dollar for each hour the qualified employee worked during the taxable year, up to 1,000 hours.

(3)(a) The department may adopt rules governing the manner and form of applications for the tax credit and establishing requirements for the proper administration of the tax credit. The form must include an affidavit certifying that all information contained within the application is true and correct and must require the taxpayer to specify the number of qualified employees for whom a credit under this section is being claimed and the number of hours each qualified employee worked during the taxable year.

(b) The department must approve the tax credit prior to the taxpayer taking the credit on a return. The department must approve credits on a first-come, first-served basis. If the department determines that an application is incomplete, the department shall notify the taxpayer in writing and the taxpayer shall have 30 days after receiving such notification to correct any deficiency. If corrected in a timely manner, the application must be deemed completed as of the date the application was first submitted.

(c) A taxpayer may not claim a tax credit of more than $10,000 under this section in any one taxable year.

(d) A taxpayer may carry forward any unused portion of a tax credit under this section for up to 5 taxable years. The carryover may be used in a subsequent year when the tax imposed by this chapter for such year exceeds the credit for such year under this section after applying the other credits and unused credit carryovers in the order provided in s. 220.02(8).

(4) The combined total amount of tax credits which may be granted under this section is $5 million in each of state fiscal years 2024-2025, 2025-2026, and 2026-2027.

(5) The department may consult with the Department of Commerce and the Agency for Persons with Disabilities to determine if an individual is a qualified employee. The Department of Commerce and the Agency for Persons with Disabilities shall provide technical assistance, when requested by the department, on any such question.

Section 42. Present paragraphs (c) and (d) of subsection (2) of section 220.222, Florida Statutes, are redesignated as paragraphs (d) and (e), respectively, and a new paragraph (c) is added to that subsection, to read:

220.222 Returns; time and place for filing.—

(2)

(c) When a taxpayer has been granted an extension or extensions of time within which to file its federal income tax return for any taxable year due to a federally declared disaster that included locations within this state, and if the requirements of s. 220.32 are met, the due date of the return required under this code is automatically extended to 15 calendar days after the due date for such taxpayer's federal income tax return,

including any extensions provided for such return for a federally declared disaster. Nothing in this paragraph affects the authority of the executive director to order an extension or waiver pursuant to s. 213.055(2).

Section 43. Section 374.986, Florida Statutes, is amended to read:

374.986 Taxing authority.—

(1) The *property appraiser* ~~tax assessor~~, tax collector, and board of county commissioners of each and every county in said district, shall, when requested by the board, prepare from their official records and deliver any and all information that may be from time to time requested from him or her or them or either of them by the board regarding the tax valuation, assessments, collection, and any other information regarding the levy, assessment, and collection of taxes in each of said counties.

(2) The board may annually assess and levy against the taxable property in the district a tax not to exceed one-tenth mill on the dollar for each year, and the proceeds from such tax shall be used by the district for all expenses of the district including the purchase price of right-of-way and other property. The board shall, on or before the 31st day of July of each year, prepare a tentative annual written budget of the district's expected income and expenditures. In addition, the board shall compute a proposed millage rate to be levied as taxes for that year upon the taxable property in the district for the purposes of said district. The proposed budget shall be submitted to the Department of Environmental Protection for its approval. Prior to adopting a final budget, the district shall comply with the provisions of s. 200.065, relating to the method of fixing millage, and shall fix the final millage rate by resolution of the district and shall also, by resolution, adopt a final budget pursuant to chapter 200. Copies of such resolutions executed in the name of the board by its chair, and attested by its secretary, shall be made and delivered to the county officials specified in s. 200.065 of each and every county in the district, to the Department of Revenue, and to the Chief Financial Officer. Thereupon, it shall be the duty of the property *appraiser* ~~assessor~~ of each of said counties to assess, and the tax collector of each of said counties to collect, a tax at the rate fixed by said resolution of the board upon all of the real and personal taxable property in said counties for said year (and such officers shall perform such duty) and said levy shall be included in the warrant of the tax assessors of each of said counties and attached to the assessment roll of taxes for each of said counties. The tax collectors of each of said counties shall collect such taxes so levied by the board in the same manner as other taxes are collected, and shall pay the same within the time and in the manner prescribed by law, to the treasurer of the board. It shall be the duty of the Chief Financial Officer to assess and levy on all railroad lines and railroad property and telegraph lines and telegraph property in the district a tax at the rate prescribed by resolution of the board, and to collect the tax thereon in the same manner as he or she is required by law to assess and collect taxes for state and county purposes and to remit the same to the treasurer of the board. All such taxes shall be held by the treasurer of the district for the credit of the district and paid out by him or her as provided herein. The tax *collector* ~~assessor~~ and property appraiser of each of said counties shall be entitled to payment as provided for by general laws.

Section 44. Section 402.261, Florida Statutes, is created to read:

402.261 Child care tax credits.—

(1) For purposes of this section, the term:

(a) "Department" means the Department of Revenue.

(b) "Division" means the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation.

(c) "Eligible child" means the child or grandchild of an employee of a taxpayer, if such employee is the child or grandchild's caregiver as defined in s. 39.01.

(d) "Eligible child care facility" means a child care facility that:

1. Is licensed under s. 402.305; or

2. Is exempt from licensure under s. 402.316.

(e) "Employee" includes full-time employees and part-time employees who work an average of at least 20 hours per week.

(f) "Maximum annual tax credit amount" means, for any state fiscal year, the sum of the amount of tax credits approved under this section, including tax credits to be taken under s. 211.0254, s. 212.1835, s. 220.19, s. 561.1214, or s. 624.5107, which are approved for taxpayers whose taxable years begin on or after January 1 of the calendar year preceding the start of the applicable state fiscal year.

(g) "Tax due" means any tax required under chapter 211, chapter 220, chapter 561, or chapter 624, or due under chapter 212 from a direct pay permitholder as a result of a direct pay permit held pursuant to s. 212.183.

(2)(a) A taxpayer who operates an eligible child care facility for the taxpayer's employees is allowed a credit of 50 percent of the startup costs of such facility against any tax due for the taxable year such facility begins operation as an eligible child care facility. The maximum credit amount a taxpayer may be granted in a taxable year under this paragraph is based on the average number of employees employed by the taxpayer during such year. For an employer that employed:

1. One to 19 employees, the maximum credit is $1 million.

2. Twenty to 250 employees, the maximum credit is $500,000.

3. More than 250 employees, the maximum credit is $250,000.

(b) A taxpayer who operates an eligible child care facility for the taxpayer's employees is allowed a credit of $300 per month for each eligible child enrolled in such facility against any tax due for the taxable year. The maximum credit amount a taxpayer may be granted in a taxable year under this paragraph is based on the average number of employees employed by the taxpayer during such year. For an employer that employed:

1. One to 19 employees, the maximum credit is $50,000.

2. Twenty to 250 employees, the maximum credit is $500,000.

3. More than 250 employees, the maximum credit is $1 million.

(c) A taxpayer who makes payments to an eligible child care facility in the name and for the benefit of an employee employed by the taxpayer whose eligible child attends such facility is allowed a credit of 100 percent of the amount of such payments against any tax due for the taxable year up to a maximum credit of $3,600 per child per taxable year. The taxpayer may make payments directly to the eligible child care facility or contract with an early learning coalition to process payments. The maximum credit amount a taxpayer may be granted in a taxable year under this paragraph is based on the average number of employees employed by the taxpayer during such year. For an employer that employed:

1. One to 19 employees, the maximum credit is $50,000.

2. Twenty to 250 employees, the maximum credit is $500,000.

3. More than 250 employees, the maximum credit is $1 million.

(d) A taxpayer may qualify for a tax credit under more than one paragraph of this subsection; however, the total credit taken by such taxpayers in a single taxable year may not exceed the sum total of the maximum credit they are granted under each applicable paragraph.

(e) For state fiscal years 2024-2025, 2025-2026, and 2026-2027, the maximum annual tax credit amount is $5 million.

(3)(a) If the credit granted under this section is not fully used within the specified state fiscal year for credits under s. 211.0254, s. 212.1835, or s. 561.1214, or against taxes due for the specified taxable year for credits under s. 220.19 or s. 624.5107, because of insufficient tax liability on the part of the taxpayer, the unused amount may be carried forward for a period not to exceed 5 years. For purposes of s. 220.19, a credit carried forward may be used in a subsequent year after applying the other credits and unused carryovers in the order provided by s. 220.02(8).

(b)1. If a taxpayer receives a credit for startup costs pursuant to paragraph (2)(a), and the eligible child care facility fails to operate for at least 5 years, a pro rata share of the credit must be repaid, in accordance with the formula:

$$A = C \times (1 - (N/60))$$

Where:

a. "A" is the amount, in dollars, of the required repayment.

b. "C" is the total credits taken by the taxpayer for eligible child care facility startup costs against a tax due under this section.

c. "N" is the number of months the eligible child care facility was in operation.

2. A taxpayer who is required to repay a pro rata share of the credit under this paragraph shall file an amended return with the department, or such other report as the department prescribes by rule, and pay such amount within 60 days after the last day of operation of the eligible child care facility. The department shall distribute such funds in accordance with the applicable statutory provision for the tax against which such credit was taken by that taxpayer.

(4)(a) A taxpayer may claim a credit only for the creation or operation of, or payments to, an eligible child care facility.

(b) The services of an eligible child care facility for which a taxpayer claims a credit under paragraph (2)(b) must be available to all employees employed by the taxpayer, or must be allocated on a first-come, first-served basis, and must be used by at least one eligible child.

(c) Two or more taxpayers may jointly establish and operate an eligible child care facility according to the provisions of this section. If two or more taxpayers choose to jointly establish and operate an eligible child care facility, or cause a not-for-profit taxpayer to establish and operate an eligible child care facility, the taxpayers must file a joint application, or the not-for-profit taxpayer may file an application, pursuant to subsection (5) setting forth the taxpayers' proposal. The participating taxpayers may proportion the available credits in any manner they choose. In the event the child care facility does not operate for 5 years, the repayment required under paragraph (3)(b) must be allocated among, and apply to, the participating taxpayers in the proportion that such taxpayers received the credit under this section.

(d) Child care payments for which a taxpayer claims a credit under paragraph (2)(c) may not exceed the amount charged by the eligible child care facility for other children of like age and ability of persons not employed by the taxpayer.

(5) Beginning October 1, 2024, a taxpayer may submit an application to the department for the purposes of determining qualification for a credit under this section. The department must approve the application for the credit before the taxpayer is authorized to claim the credit on a return.

(a) The application must include:

1.a. For a credit under paragraph (2)(a), a proposal for establishing an eligible child care facility for use by its employees, the number of eligible children expected to be enrolled, and the expected date operations will begin. A credit may not be claimed on a return until operations have begun. If the facility has begun to operate, the application must show the number of eligible children enrolled and the date the operation began.

b. For a credit under paragraph (2)(b), the total number of eligible children for whom child care will be provided at the eligible child care facility and the total number of months the facility is expected to operate during the taxable year in which the credit will be earned.

c. For a credit under paragraph (2)(c), the total number of eligible children for whom child care payments will be paid and the estimated total annual amount of such payments during the taxable year in which the credit will be earned.

2. The taxable year in which the credit is expected to be earned. A taxpayer may apply for a credit to be used for a prior taxable year at any time before the date on which the taxpayer is required to file a return for that year pursuant to s. 220.222.

3. For a credit under paragraph (2)(a) or paragraph (2)(b), a statement signed by a person authorized to sign on behalf of the taxpayer that the facility meets the definition of eligible child care facility and otherwise qualifies for the credit under this section. Such statement must be attached to the application.

(b) The department shall approve tax credits on a first-come, first-served basis, and must obtain the division's approval before approving a tax credit under s. 561.1214. Within 10 days after approving or denying an application, the Department of Revenue shall provide a copy of its approval or denial letter to the taxpayer.

(6)(a) A taxpayer may not convey, transfer, or assign an approved tax credit or a carryforward tax credit to another entity unless all of the assets of the taxpayer are conveyed, assigned, or transferred in the same transaction. However, a tax credit under s. 211.0254, s. 212.1835, s. 220.19, s. 561.1214, or s. 624.5107 may be conveyed, transferred, or assigned between members of an affiliated group of taxpayers if the type of tax credit under s. 211.0254, s. 212.1835, s. 220.19, s. 561.1214, or s. 624.5107 remains the same. A taxpayer shall notify the department of its intent to convey, transfer, or assign a tax credit to another member within an affiliated group of corporations as defined in s. 220.03(1)(b). The amount conveyed, transferred, or assigned is available to another member of the affiliated group of corporations upon approval by the department. The department shall obtain the division's approval before approving a conveyance, transfer, or assignment of a tax credit under s. 561.1214.

(b) Within any state fiscal year, a taxpayer may rescind all or part of a tax credit approved under subsection (5). The amount rescinded shall become available for that state fiscal year to another taxpayer approved by the department under this section. The department must obtain the division's approval before accepting the rescindment of a tax credit under s. 561.1214. Any amount rescinded under this paragraph must become available to a taxpayer on a first-come, first-served basis based on tax credit applications received after the date the rescindment is accepted by the department.

(c) Within 10 days after approving or denying the conveyance, transfer, or assignment of a tax credit under paragraph (a), or the rescindment of a tax credit under paragraph (b), the department shall provide a copy of its approval or denial letter to the taxpayer requesting the conveyance, transfer, assignment, or rescindment.

(7)(a) The department may adopt rules to administer this section, including rules for the approval or disapproval of proposals submitted by taxpayers and rules to provide for cooperative arrangements between for-profit and not-for-profit taxpayers.

(b) The department's decision to approve or disapprove a proposal must be in writing, and, if the proposal is approved, the decision must state the maximum credit authorized for the taxpayer.

(c) In addition to its existing audit and investigation authority, the department may perform any additional financial and technical audits and investigations, including examining the accounts, books, or records of the tax credit applicant, which are necessary to verify the costs included in a credit application and to ensure compliance with this section.

(d) It is grounds for forfeiture of previously claimed and received tax credits if the department determines that a taxpayer received tax credits pursuant to this section to which the taxpayer was not entitled.

Section 45. Subsection (2) and paragraphs (a) and (b) of subsection (5) of section 402.62, Florida Statutes, are amended to read:

402.62 Strong Families Tax Credit.—

(2) STRONG FAMILIES TAX CREDITS; ELIGIBILITY.—

(a) The Department of Children and Families shall designate as an eligible charitable organization an organization that meets all of the following requirements:

1. Is exempt from federal income taxation under s. 501(c)(3) of the Internal Revenue Code.

2. Is a Florida entity formed under chapter 605, chapter 607, or chapter 617 and whose principal office is located in this state.

3. *Provides direct services for at-risk families that do not have an open dependency case.*

4. Provides services to:

a. Prevent child abuse, neglect, abandonment, or exploitation;

b. Assist fathers in learning and improving parenting skills or to engage absent fathers in being more engaged in their children's lives;

c. ~~Provide books to the homes of children eligible for a federal free or reduced-price meals program or those testing below grade level in kindergarten through grade 5;~~

~~d.~~ Assist families with children who have a chronic illness or a physical, intellectual, developmental, or emotional disability; or

d.~~e.~~ Provide workforce development services to families of children eligible for a federal free or reduced-price meals program.

5.~~4.~~ Provides to the Department of Children and Families accurate information, including, at a minimum, a description of the services provided by the organization which are eligible for funding under this section; the total number of individuals served through those services during the last calendar year and the number served during the last calendar year using funding under this section; basic financial information regarding the organization and services eligible for funding under this section; outcomes for such services; and contact information for the organization.

6.~~5.~~ Annually submits a statement, signed under penalty of perjury by a current officer of the organization, that the organization meets all criteria to qualify as an eligible charitable organization, has fulfilled responsibilities under this section for the previous fiscal year if the organization received any funding through this credit during the previous year, and intends to fulfill its responsibilities during the upcoming year.

7.~~6.~~ Provides any documentation requested by the Department of Children and Families to verify eligibility as an eligible charitable organization or compliance with this section.

(b) The Department of Children and Families may not designate as an eligible charitable organization an organization that:

1. Provides abortions or pays for or provides coverage for abortions; or

2. Has received more than 50 percent of its total annual revenue*, not including revenue received pursuant to a contract under s. 409.1464,* from *a federal, state, or local governmental agency* ~~the Department of Children and Families~~, either directly or via a contractor of *such an agency* ~~the department~~, in the prior fiscal year.

(5) STRONG FAMILIES TAX CREDITS; APPLICATIONS, TRANSFERS, AND LIMITATIONS.—

(a) Beginning in fiscal year *2024-2025* ~~2023-2024~~, the tax credit cap amount is *$40* ~~$20~~ million in each state fiscal year.

(b) ~~Beginning October 1, 2021,~~ A taxpayer may submit an application to the Department of Revenue for a tax credit or credits to be taken under one or more of s. 211.0253, s. 212.1834, s. 220.1877, s. 561.1213, or s. 624.51057*, beginning at 9 a.m. on the first day of the calendar year that is not a Saturday, Sunday, or legal holiday*.

1. The taxpayer shall specify in the application each tax for which the taxpayer requests a credit and the applicable taxable year for a credit under s. 220.1877 or s. 624.51057 or the applicable state fiscal year for a credit under s. 211.0253, s. 212.1834, or s. 561.1213. For purposes of s. 220.1877, a taxpayer may apply for a credit to be used for a prior taxable year before the date the taxpayer is required to file a return for that year pursuant to s. 220.222. For purposes of s. 624.51057, a taxpayer may apply for a credit to be used for a prior taxable year before the date the taxpayer is required to file a return for that prior taxable year pursuant to ss. 624.509 and 624.5092. The application must specify the eligible charitable organization to which the proposed contribution will be made. The Department of Revenue shall approve tax credits on a first-come, first-served basis and must obtain the division's approval before approving a tax credit under s. 561.1213.

2. Within 10 days after approving or denying an application, the Department of Revenue shall provide a copy of its approval or denial letter to the eligible charitable organization specified by the taxpayer in the application.

Section 46. *For the $20 million in additional credit under s. 402.62, Florida Statutes, available for fiscal year 2024-2025 pursuant to changes made by this act, a taxpayer may submit an application to the Department of Revenue beginning at 9 a.m. on July 1, 2024.*

Section 47. Subsection (1) of section 413.4021, Florida Statutes, is amended to read:

413.4021 Program participant selection; tax collection enforcement diversion program.—The Department of Revenue, in coordination with the Florida Association of Centers for Independent Living and the Florida Prosecuting Attorneys Association, shall select judicial circuits in which to operate the program. The association and the state attorneys' offices shall develop and implement a tax collection enforcement diversion program, which shall collect revenue due from persons who have not remitted their collected sales tax. The criteria for referral to the tax collection enforcement diversion program shall be determined cooperatively between the state attorneys' offices and the Department of Revenue.

(1) Notwithstanding s. 212.20, *100* ~~75~~ percent of the revenues collected from the tax collection enforcement diversion program shall be deposited into the special reserve account of the Florida Association of Centers for Independent Living, to be used to administer the James Patrick Memorial Work Incentive Personal Attendant Services and Employment Assistance Program and to contract with the state attorneys participating in the tax collection enforcement diversion program in an amount of not more than $75,000 for each state attorney.

Section 48. Present paragraph (b) of subsection (1) of section 561.121, Florida Statutes, is redesignated as paragraph (c), and a new paragraph (b) is added to that subsection, to read:

561.121 Deposit of revenue.—

(1) All state funds collected pursuant to ss. 563.05, 564.06, 565.02(9), and 565.12 shall be paid into the State Treasury and disbursed in the following manner:

(b)1. After the distribution in paragraph (a), from the remainder of the funds collected pursuant to ss. 563.05, 564.06, 565.02(9), and 565.12, 7 percent of monthly collections shall be paid in the following shares:

a. One-third to the University of Miami Sylvester Comprehensive Cancer Center;

b. One-sixth to the Brain Tumor Immunotherapy Program at the University of Florida Health Shands Cancer Center;

c. One-sixth to the Norman Fixel Institute for Neurological Diseases at the University of Florida; and

d. One-third to the Mayo Clinic Comprehensive Cancer Center in Jacksonville.

2. The distributions in subparagraph 1. may not exceed $30 million per fiscal year.

3. These funds are appropriated monthly, to be used for lawful purposes, including constructing, furnishing, equipping, financing, operating, and maintaining cancer research and clinical and related facilities, and furnishing, equipping, operating, and maintaining other properties owned or leased by the University of Miami Sylvester Comprehensive Cancer Center, the University of Florida Health Shands Cancer Center, and the Mayo Clinic Comprehensive Cancer Center in Jacksonville; and constructing, furnishing, equipping, financing, operating, and maintaining neurological disease research and clinical and related facilities, and furnishing, equipping, operating, and maintaining other properties, owned or leased by the Norman Fixel Institute for

Neurological Diseases at the University of Florida. Moneys distributed pursuant to this paragraph may not be used to secure bonds or other forms of indebtedness nor be pledged for debt service. This paragraph is repealed June 30, 2054.

Section 49. Section 561.1214, Florida Statutes, is created to read:

561.1214 Child care tax credits.—Beginning January 1, 2024, there is allowed a credit pursuant to s. 402.261 against any tax due under s. 563.05, s. 564.06, or s. 565.12, except excise taxes imposed on wine produced by manufacturers in this state from products grown in this state. However, a credit allowed under this section may not exceed 90 percent of the tax due on the return on which the credit is taken. For purposes of the distributions of tax revenue under ss. 561.121 and 564.06(10), the division shall disregard any tax credits allowed under this section to ensure that any reduction in tax revenue received which is attributable to the tax credits results only in a reduction in distributions to the General Revenue Fund. The provisions of s. 402.261 apply to the credit authorized by this section.

Section 50. Notwithstanding the expiration date in section 41 of chapter 2023-157, Laws of Florida, section 571.26, Florida Statutes, is reenacted to read:

571.26 Florida Agricultural Promotional Campaign Trust Fund.—There is hereby created the Florida Agricultural Promotional Campaign Trust Fund within the Department of Agriculture and Consumer Services to receive all moneys related to the Florida Agricultural Promotional Campaign. Moneys deposited in the trust fund shall be appropriated for the sole purpose of implementing the Florida Agricultural Promotional Campaign, except for money deposited in the trust fund pursuant to s. 212.20(6)(d)6.h., which shall be held separately and used solely for the purposes identified in s. 571.265.

Section 51. *Section 41 of chapter 2023-157, Laws of Florida, is repealed.*

Section 52. Subsection (5) of section 571.265, Florida Statutes, is amended to read:

571.265 Promotion of Florida thoroughbred breeding and of thoroughbred racing at Florida thoroughbred tracks; distribution of funds.—

~~(5) This section is repealed July 1, 2025, unless reviewed and saved from repeal by the Legislature.~~

Section 53. Subsection (7) of section 624.509, Florida Statutes, is amended to read:

624.509 Premium tax; rate and computation.—

(7) Credits and deductions against the tax imposed by this section shall be taken in the following order: deductions for assessments made pursuant to s. 440.51; credits for taxes paid under ss. 175.101 and 185.08; credits for income taxes paid under chapter 220 and the credit allowed under subsection (5), as these credits are limited by subsection (6); the credit allowed under s. 624.51057; the credit allowed under s. 624.51058; *the credit allowed under s. 624.5107;* all other available credits and deductions.

Section 54. Section 624.5107, Florida Statutes, is amended to read:

624.5107 Child care tax credits.—

(1) *For taxable years beginning on or after January 1, 2024, there is allowed a credit pursuant to s. 402.261 against any tax due for a taxable year under s. 624.509(1) after deducting from such tax deductions for assessments made pursuant to s. 440.51; credits for taxes paid under ss. 175.101 and 185.08; credits for income taxes paid under chapter 220; and the credit allowed under s. 624.509(5), as such credit is limited by s. 624.509(6). An insurer claiming a credit against premium tax liability under this section is not required to pay any additional retaliatory tax levied under s. 624.5091 as a result of claiming such credit. Section 624.5091 does not limit such credit in any manner.* ~~If the credit granted under this section is not fully used in any one year because of insufficient tax liability on the part of the insurer, the unused amount may be carried forward for a period not to exceed 5 years. The carryover credit may be used in a subsequent year when the tax imposed by s. 624.509 or s. 624.510 for that year exceeds the credit for which the insurer is eligible in that year under this section.~~

(2) *For purposes of determining whether a penalty under s. 624.5092 will be imposed, an insurer, after earning a credit under s. 624.5107 for a taxable year, may reduce any installment payment for such taxable year of 27 percent of the amount of the net tax due as reported on the return for the preceding year under s. 624.5092(2)(b) by the amount of the credit.* ~~If an insurer receives a credit for child care facility startup costs, and the facility fails to operate for at least 5 years, a pro rata share of the credit must be repaid, in accordance with the formula: A = C x (1 – (N/60)), where:~~

~~(a) "A" is the amount in dollars of the required repayment.~~

~~(b) "C" is the total credits taken by the insurer for child care facility startup costs.~~

~~(c) "N" is the number of months the facility was in operation.~~

~~This repayment requirement is inapplicable if the insurer goes out of business or can demonstrate to the department that its employees no longer want to have a child care facility.~~

(3) The provisions of s. 402.261 apply to the credit authorized by this section.

Section 55. *The amendments made by this act to ss. 220.19, 624.509, and 624.5107, Florida Statutes, and ss. 211.0254, 212.1835, 402.261, and 561.1214, Florida Statutes, as created by this act, apply retroactively to January 1, 2024.*

Section 56. Section 624.5108, Florida Statutes, is created to read:

624.5108 Property insurance discount to policyholders; insurance premium deduction; insurer credit for deductions.—

(1) An insurer must deduct the following amounts from the total charged for the following policies:

(a) For a policy providing residential coverage on a dwelling, an amount equal to 1.75 percent of the premium, as defined in s. 627.403.

(b) For a policy providing residential coverage on a dwelling, the amount charged for the State Fire Marshal regulatory assessment under s. 624.515.

(c) For a policy, contract, or endorsement providing personal or commercial lines coverage for the peril of flood or excess coverage for the peril of flood on any structure or the contents of personal property contained therein, an amount equal to 1.75 percent of the premium, as defined in s. 627.403. As used in this paragraph, the term "flood" has the same meaning as provided in s. 627.715(1)(b).

For the purposes of this section, residential coverage excludes tenant coverage.

(2) The deductions under this section apply to policies that provide coverage for a 12-month period with an effective date between October 1, 2024, and September 30, 2025. The deductions amount must be separately stated on the policy declarations page.

(3) When reporting policy premiums for purposes of computing taxes levied under s. 624.509, an insurer must report the full policy premium value before applying deductions under this section. The deductions provided to policyholders in subsection (1) do not reduce the direct written premium of the insurer for any purposes.

(4) For the taxable years beginning on January 1, 2024, and January 1, 2025, there is allowed a credit of 100 percent of the amount of deductions provided to policyholders pursuant to subsection (1) against any tax due under s. 624.509(1) after all other credits and deductions have been taken in the order provided in s. 624.509(7).

(5) An insurer claiming a credit against premium tax liability under this section is not required to pay any additional retaliatory tax levied under s. 624.5091 as a result of claiming such credit. Section 624.5091 does not limit the credit available to insurers in any manner.

(6) If the credit provided for under subsection (4) is not fully used in any one taxable year because of insufficient tax liability, the Department of Revenue must refund the unused amount of credit out of the General Revenue Fund to the insurer.

(7) In the event that an insurer refunds some or all of a policy that received a deduction pursuant to subsection (1), for which the insurer has received a credit under subsection (4) or a refund under subsection (6), the insurer must repay to the Department of Revenue for deposit into the General Revenue fund that portion of the credit or refund received by the insurer that equals the deduction under subsection (1) on the portion of the policy that was refunded.

(8) Every insurer required to provide a premium deduction under this section must include all of the following information with its quarterly and annual statements under s. 624.424:

(a) The number of policies that received a deduction under this section during the period covered by the statement.

(b) The total amount of deductions provided by the insurer during the period covered by the statement.

(c) The total premium related to insurance policies providing residential coverage on a dwelling.

(d) The total premium related to policies, contracts, or endorsements providing personal or commercial lines coverage for the peril of flood or excess coverage for the peril of flood on any structure or the contents of personal property contained therein.

(9) The office must include the same information required under subsection (8) in the reports required under s. 624.315.

(10) In addition to its existing audit and investigation authority, the Department of Revenue may perform any additional financial and technical audits and investigations, including examining the accounts, books, and records of an insurer claiming a credit under subsection (4), which are necessary to verify the information included in the tax return and to ensure compliance with this section. The office shall provide technical assistance when requested by the Department of Revenue on any technical audits or examinations performed pursuant to this section.

(11) In addition to its existing examination authority and duties under s. 624.316, the office shall examine the information required to be reported under subsection (8) and shall take corrective measures as provided in ss. 624.310(5) and 624.4211 for any insurer not in compliance with this section.

(12) The Department of Revenue and the office are authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4) to implement the provisions of this section. Notwithstanding any other provision of law, emergency rules adopted pursuant to this subsection are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

(13) This section is repealed December 31, 2030.

Section 57. *Disaster preparedness supplies; sales tax holiday.—*

(1) The tax levied under chapter 212, Florida Statutes, may not be collected during the period from June 1, 2024, through June 14, 2024, or during the period from August 24, 2024, through September 6, 2024, on the sale of:

(a) A portable self-powered light source with a sales price of $40 or less.

(b) A portable self-powered radio, two-way radio, or weather-band radio with a sales price of $50 or less.

(c) A tarpaulin or other flexible waterproof sheeting with a sales price of $100 or less.

(d) An item normally sold as, or generally advertised as, a ground anchor system or tie-down kit with a sales price of $100 or less.

(e) A gas or diesel fuel tank with a sales price of $50 or less.

(f) A package of AA-cell, AAA-cell, C-cell, D-cell, 6-volt, or 9-volt batteries, excluding automobile and boat batteries, with a sales price of $50 or less.

(g) A nonelectric food storage cooler with a sales price of $60 or less.

(h) A portable generator used to provide light or communications or preserve food in the event of a power outage with a sales price of $3,000 or less.

(i) Reusable ice with a sales price of $20 or less.

(j) A portable power bank with a sales price of $60 or less.

(k) A smoke detector or smoke alarm with a sales price of $70 or less.

(l) A fire extinguisher with a sales price of $70 or less.

(m) A carbon monoxide detector with a sales price of $70 or less.

(n) The following supplies necessary for the evacuation of household pets purchased for noncommercial use:

1. Bags of dry dog food or cat food weighing 50 or fewer pounds with a sales price of $100 or less per bag.

2. Cans or pouches of wet dog food or cat food with a sales price of $10 or less per can or pouch or the equivalent if sold in a box or case.

3. Over-the-counter pet medications with a sales price of $100 or less per item.

4. Portable kennels or pet carriers with a sales price of $100 or less per item.

5. Manual can openers with a sales price of $15 or less per item.

6. Leashes, collars, and muzzles with a sales price of $20 or less per item.

7. Collapsible or travel-sized food bowls or water bowls with a sales price of $15 or less per item.

8. Cat litter weighing 25 or fewer pounds with a sales price of $25 or less per item.

9. Cat litter pans with a sales price of $15 or less per item.

10. Pet waste disposal bags with a sales price of $15 or less per package.

11. Pet pads with a sales price of $20 or less per box or package.

12. Hamster or rabbit substrate with a sales price of $15 or less per package.

13. Pet beds with a sales price of $40 or less per item.

(2) The tax exemptions provided in this section do not apply to sales within a theme park or entertainment complex as defined in s. 509.013(9), Florida Statutes, within a public lodging establishment as defined in s. 509.013(4), Florida Statutes, or within an airport as defined in s. 330.27(2), Florida Statutes.

(3) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of implementing this section.

(4) This section shall take effect upon this act becoming a law.

Section 58. *Freedom Month; sales tax holiday.—*

(1) The taxes levied under chapter 212, Florida Statutes, may not be collected on purchases made during the period from July 1, 2024, through July 31, 2024, on:

(a) The sale by way of admissions, as defined in s. 212.02(1), Florida Statutes, for:

1. A live music event scheduled to be held on any date or dates from July 1, 2024, through December 31, 2024;

2. A live sporting event scheduled to be held on any date or dates from July 1, 2024, through December 31, 2024;

3. A movie to be shown in a movie theater on any date or dates from July 1, 2024, through December 31, 2024;

4. Entry to a museum, including any annual passes;

5. Entry to a state park, including any annual passes;

6. Entry to a ballet, play, or musical theatre performance scheduled to be held on any date or dates from July 1, 2024, through December 31, 2024;

7. Season tickets for ballets, plays, music events, or musical theatre performances;

8. Entry to a fair, festival, or cultural event scheduled to be held on any date or dates from July 1, 2024, through December 31, 2024; or

9. Use of or access to private and membership clubs providing physical fitness facilities from July 1, 2024, through December 31, 2024.

(b) The retail sale of boating and water activity supplies, camping supplies, fishing supplies, general outdoor supplies, residential pool supplies, and electric scooters. As used in this section, the term:

1. "Boating and water activity supplies" means life jackets and coolers with a sales price of $75 or less; recreational pool tubes, pool floats, inflatable chairs, and pool toys with a sales price of $35 or less; safety flares with a sales price of $50 or less; water skis, wakeboards, kneeboards, and recreational inflatable water tubes or floats capable of being towed with a sales price of $150 or less; paddleboards and surfboards with a sales price of $300 or less; canoes and kayaks with a sales price of $500 or less; paddles and oars with a sales price of $75 or less; and snorkels, goggles, and swimming masks with a sales price of $25 or less.

2. "Camping supplies" means tents with a sales price of $200 or less; sleeping bags, portable hammocks, camping stoves, and collapsible camping chairs with a sales price of $50 or less; and camping lanterns and flashlights with a sales price of $30 or less.

3. "Electric scooter" means a vehicle having two or fewer wheels, with or without a seat or saddle for the use of the rider, which is equipped to be propelled by an electric motor and which weighs less than 75 pounds, is less than 2 feet wide, and is designed for a maximum speed of less than 35 miles per hour, with a sales price of $500 or less.

4. "Fishing supplies" means rods and reels with a sales price of $75 or less if sold individually, or $150 or less if sold as a set; tackle boxes or bags with a sales price of $30 or less; and bait or fishing tackle with a sales price of $5 or less if sold individually, or $10 or less if multiple items are sold together. The term does not include supplies used for commercial fishing purposes.

5. "General outdoor supplies" means sunscreen, sunblock, or insect repellant with a sales price of $15 or less; sunglasses with a sales price of $100 or less; binoculars with a sales prices of $200 or less; water bottles with a sales price of $30 or less; hydration packs with a sales price of $50 or less; outdoor gas or charcoal grills with a sales price of $250 or less; bicycle helmets with a sales price of $50 or less; and bicycles with a sales price of $500 or less.

6. "Residential pool supplies" means individual residential pool and spa replacement parts, nets, filters, lights, and covers with a sales price of $100 or less; and residential pool and spa chemicals purchased by an individual with a sales price of $150 or less.

(2) The tax exemptions provided in this section do not apply to sales within a theme park or entertainment complex as defined in s. 509.013(9), Florida Statutes, within a public lodging establishment as defined in s. 509.013(4), Florida Statutes, or within an airport as defined in s. 330.27(2), Florida Statutes.

(3) If a purchaser of an admission purchases the admission exempt from tax pursuant to this section and subsequently resells the admission, the purchaser must collect tax on the full sales price of the resold admission.

(4) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of implementing this section.

(5) This section shall take effect upon this act becoming a law.

Section 59. *Clothing, wallets, and bags; school supplies; learning aids and jigsaw puzzles; personal computers and personal computer-related accessories; sales tax holiday.—*

(1) The tax levied under chapter 212, Florida Statutes, may not be collected during the period from July 29, 2024, through August 11, 2024, on the retail sale of:

(a) Clothing, wallets, or bags, including handbags, backpacks, fanny packs, and diaper bags, but excluding briefcases, suitcases, and other garment bags, having a sales price of $100 or less per item. As used in this paragraph, the term "clothing" means:

1. Any article of wearing apparel intended to be worn on or about the human body, excluding watches, watchbands, jewelry, umbrellas, and handkerchiefs; and

2. All footwear, excluding skis, swim fins, roller blades, and skates.

(b) School supplies having a sales price of $50 or less per item. As used in this paragraph, the term "school supplies" means pens, pencils, erasers, crayons, notebooks, notebook filler paper, legal pads, binders, lunch boxes, construction paper, markers, folders, poster board, composition books, poster paper, scissors, cellophane tape, glue or paste, rulers, computer disks, staplers and staples used to secure paper products, protractors, and compasses.

(c) Learning aids and jigsaw puzzles having a sales price of $30 or less. As used in this paragraph, the term "learning aids" means flashcards or other learning cards, matching or other memory games, puzzle books and search-and-find books, interactive or electronic books and toys intended to teach reading or math skills, and stacking or nesting blocks or sets.

(d) Personal computers or personal computer-related accessories purchased for noncommercial home or personal use having a sales price of $1,500 or less. As used in this paragraph, the term:

1. "Personal computers" includes electronic book readers, calculators, laptops, desktops, handhelds, tablets, or tower computers. The term does not include cellular telephones, video game consoles, digital media receivers, or devices that are not primarily designed to process data.

2. "Personal computer-related accessories" includes keyboards, mice, personal digital assistants, monitors, other peripheral devices, modems, routers, and nonrecreational software, regardless of whether the accessories are used in association with a personal computer base unit. The term does not include furniture or systems, devices, software, monitors with a television tuner, or peripherals that are designed or intended primarily for recreational use.

(2) The tax exemptions provided in this section do not apply to sales within a theme park or entertainment complex as defined in s. 509.013(9), Florida Statutes, within a public lodging establishment as defined in s. 509.013(4), Florida Statutes, or within an airport as defined in s. 330.27(2), Florida Statutes.

(3) The tax exemptions provided in this section apply at the option of the dealer if less than 5 percent of the dealer's gross sales of tangible personal property in the prior calendar year consisted of items that would be exempt under this section. If a qualifying dealer chooses not to participate in the tax holiday, by July 15, 2024, the dealer must notify the Department of Revenue in writing of its election to collect sales tax during the holiday and must post a copy of that notice in a conspicuous location at its place of business.

(4) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of implementing this section.

(5) This section shall take effect upon this act becoming a law.

Section 60. *Tools commonly used by skilled trade workers; Tool Time sales tax holiday.—*

(1) The tax levied under chapter 212, Florida Statutes, may not be collected during the period from September 1, 2024, through September 7, 2024, on the retail sale of:

(a) Hand tools with a sales price of $50 or less per item.

(b) Power tools with a sales price of $300 or less per item.

(c) Power tool batteries with a sales price of $150 or less per item.

(d) Work gloves with a sales price of $25 or less per pair.

(e) Safety glasses with a sales price of $50 or less per pair, or the equivalent if sold in sets of more than one pair.

(f) Protective coveralls with a sales price of $50 or less per item.

(g) Work boots with a sales price of $175 or less per pair.

(h) Tool belts with a sales price of $100 or less per item.

(i) Duffle bags or tote bags with a sales price of $50 or less per item.

(j) Tool boxes with a sales price of $75 or less per item.

(k) Tool boxes for vehicles with a sales price of $300 or less per item.

(l) Industry textbooks and code books with a sales price of $125 or less per item.

(m) Electrical voltage and testing equipment with a sales price of $100 or less per item.

(n) LED flashlights with a sales price of $50 or less per item.

(o) Shop lights with a sales price of $100 or less per item.

(p) Handheld pipe cutters, drain opening tools, and plumbing inspection equipment with a sales price of $150 or less per item.

(q) Shovels with a sales price of $50 or less.

(r) Rakes with a sales price of $50 or less.

(s) Hard hats and other head protection with a sales price of $100 or less.

(t) Hearing protection items with a sales price of $75 or less.

(u) Ladders with a sales price of $250 or less.

(v) Fuel cans with a sales price of $50 or less.

(w) High visibility safety vests with a sales price of $30 or less.

(2) The tax exemptions provided in this section do not apply to sales within a theme park or entertainment complex as defined in s. 509.013(9), Florida Statutes, within a public lodging establishment as defined in s. 509.013(4), Florida Statutes, or within an airport as defined in s. 330.27(2), Florida Statutes.

(3) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of implementing this section.

Section 61. *(1) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, to implement the amendments made by this act to ss. 206.9931, 212.05, 212.054, 213.21, 213.67, 220.03, 220.19, 220.1915, 624.509, and 624.5107, Florida Statutes, and the creation by this act of ss. 211.0254, 212.1835, 220.1992, 402.261, and 561.1214, Florida Statutes. Notwithstanding any other provision of law, emergency rules adopted pursuant to this subsection are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.*

(2) This section shall take effect upon this act becoming a law and expires July 1, 2027.

Section 62. *(1) For fiscal year 2024-2025, the sum of $200,000 is appropriated from the General Revenue Fund to the Department of Revenue to offset the reductions in ad valorem tax revenue experienced by fiscally constrained counties, as defined in s. 218.67(1), Florida Statutes, in complying with s. 197.319, Florida Statutes.*

(2) To participate in the distribution of the appropriation, each affected taxing jurisdiction must apply to the Department of Revenue by October 1, 2024, and provide documentation supporting the taxing jurisdiction's reduction in ad valorem tax revenue in the form and manner prescribed by the department. The documentation must include a copy of the notice required by s. 197.319(5)(b), Florida Statutes, from the tax collector who reports to the affected taxing jurisdiction of the reduction in ad valorem taxes the taxing jurisdiction will incur as a result of the implementation of s. 197.319, Florida Statutes.

(3) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of implementing this section.

(4) This section shall take effect upon becoming a law and is repealed June 30, 2026.

Section 63. *For the 2024-2025 fiscal year, the sum of $408,604 in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Revenue for the purpose of implementing this act.*

Section 64. Except as otherwise provided in this act and except for this section, which shall take effect upon becoming a law, 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 taxation; amending s. 192.001, F.S.; revising the definition of the term "tangible personal property"; providing retroactive applicability; amending s. 192.0105, F.S.; providing that a taxpayer has a right to know certain information regarding property determined not to have been entitled to a homestead exemption; amending s. 193.155, F.S.; extending the timeframe for changes, additions, or improvements following damage or destruction of a homestead to commence for certain assessment requirements to apply; requiring property appraisers to include certain information with notices of tax liens; providing that back taxes apply only under certain circumstances; amending s. 193.624, F.S.; revising the definition of the term "renewable energy source device"; providing applicability; amending s. 193.703, F.S.; requiring that the owner be given a specified timeframe to pay certain taxes, penalties, and interest prior to a lien being filed; providing that such lien is subject to certain provisions; providing that back taxes apply only under certain circumstances; amending s. 194.037, F.S.; revising obsolete provisions; amending s. 196.011, F.S.; requiring that specified persons or entities be given a specified timeframe to pay certain taxes prior to a lien being filed; prohibiting the taxpayer from being assessed certain penalties or interest under certain circumstances; providing that back taxes apply only under certain circumstances; amending s. 196.031, F.S.; extending the timeframe before a property owner's failure to commence repair or rebuilding of homestead property constitutes abandonment; amending s. 196.075, F.S.; requiring that the owner be given a specified timeframe to pay certain taxes, penalties, and interest prior to a lien being filed; providing that such lien is subject to certain provisions; providing that back taxes apply only under certain circumstances; amending s. 196.161, F.S.; requiring property appraisers to include certain information with notices of tax liens; requiring that the owner be given a specified timeframe to pay certain taxes, penalties, and interest prior to a lien being filed; providing that back taxes apply only 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 exempt certain units 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; revising eligibility; 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 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 applicability; amending s. 196.1978, F.S.; authorizing a taxing authority, beginning at a specified time, to elect not to exempt certain property upon adoption of an ordinance or a resolution; specifying requirements and limitations for the ordinance or resolution; providing applicability; specifying duties of the taxing authority; authorizing certain property owners to continue to receive an exemption under certain circumstances; providing applicability; providing an exemption from ad valorem property tax for property in a multifamily project if certain conditions are met; specifying requirements for eligibility and applications; requiring property appraisers to review certain applications and make certain determinations; authorizing property appraisers to request and review additional information; requiring property appraisers to grant exemptions under certain condition; providing the method for determining the value of portions of property for certain purposes; specifying requirements for property appraisers in reviewing and granting exemptions and for improperly granted exemptions; providing a penalty; providing limitations on eligibility; providing applicability; amending s. 201.08, F.S.; providing applicability; defining the term "principal limit"; requiring that certain taxes be calculated based on the principal limit at a specified event; providing retroactive operation; providing construction; amending s. 201.21, F.S.; exempting all non-interest-bearing promissory notes, non-interest-bearing nonnegotiable notes, or non-interest-bearing written obligations, for specified purposes, from documentary stamp taxes in connection with the sale of alarm systems; providing for future repeal of amendments, unless saved from repeal by the Legislature through reenactment by the Legislature; providing for effect of amendments by other provisions; amending s. 206.9931, F.S.; deleting a registration fee for certain parties; amending s. 206.9955, F.S.; revising the rates of certain taxes on natural gas fuel for a specified timeframe; reenacting s. 206.996(1) and (4), F.S., relating to monthly reports by natural gas fuel retailers and deductions, to incorporate the amendment made to s. 206.9955, F.S., in references thereto; reenacting s. 206.997, F.S., relating to state and local alternative fuel user fee clearing trust funds and distributions, to incorporate the amendment made to s. 206.9955, F.S., in references thereto; creating s. 211.0254, F.S.; authorizing the use of credits against certain taxes beginning on a specified date; providing a limitation on such credits; providing construction; providing applicability; amending s. 212.0306, F.S.; revising the necessary vote in a referendum for the levy of a certain local option food and beverage tax; amending s. 212.05, F.S.; making technical changes; specifying the application of an exemption for sales tax for certain purchasers of boats and aircraft; providing a sales tax exemption for certain leases and rentals; amending s. 212.054, F.S.; specifying that certain purchases are considered a single item for purposes of discretionary sales surtax; specifying that certain property sales are deemed to occur in the county where the purchaser resides, as identified on specified documents; providing applicability; defining the term "final adjudication"; providing for the transfer and disposition of discretionary sales surtaxes under certain circumstances; providing for the suspension of discretionary sales surtaxes under certain circumstances; authorizing certain persons to file a claim for a refund of discretionary sale surtaxes; providing for future expiration; amending s. 212.055, F.S.; deleting a restriction on counties authorized to levy an indigent care and trauma center surtax; requiring approval of certain taxes in a referendum; amending s. 212.11, F.S.; authorizing an automatic extension for filing returns and remitting sales and use tax when specified states of emergency are declared; providing construction; creating s. 212.1835, F.S.; authorizing the use of credits against certain taxes beginning on a specified date; authorizing certain expenses and payments to count toward the tax due; providing construction; providing applicability; requiring electronic filing of returns and payment of taxes; amending s. 212.20, F.S.; deleting the future repeal of provisions related to annual distributions to the Florida Agricultural Promotional Campaign Trust Fund; amending s. 213.21, F.S.; authorizing the department to consider requests to settle or compromise certain liabilities after certain time periods have expired, in certain circumstances; providing a limitation; providing that certain department decisions are not subject to review; amending s. 213.67, F.S.; authorizing certain parties to include additional specified amounts in a garnishment levy notice; revising methods for delivery of levy notices; amending s. 220.02, F.S.; revising the order in which credits may be taken to include a specified credit; amending s. 220.03, F.S.; revising the date of adoption of the Internal Revenue Code and other federal income tax statutes for purposes of the state corporate income tax; providing retroactive operation; amending s. 220.19, F.S.; authorizing the use of credits against certain taxes beginning on a specified date; revising obsolete provisions; authorizing certain taxpayers to use the credit in a specified manner; providing applicability; amending s. 220.1915, F.S.; revising the definitions of the terms "qualifying expenditures" and "qualifying railroad"; revising a limitation on the amount of the credit for qualified railroad construction or replacement expenditures; requiring the Department of Transportation to certify and provide certain information to the department by a specified date; revising application requirements for the credit for qualified railroad reconstruction or replacement expenditures; revising requirements for the department related to the issuance of a certain letter; conforming provisions to changes made by the act; revising conditions for carry-forward and transfer of such credit; creating s. 220.1992, F.S.; defining the terms "qualified employee" and "qualified taxpayer"; establishing a credit against specified taxes for taxpayers that employ specified individuals; specifying the amount of such tax credit; authorizing the department to adopt rules governing the manner and form of the application for such tax credit; specifying requirements for such form; requiring the department to approve the tax credit prior to the taxpayer taking the credit; requiring the department to approve the tax credits in a specified manner; requiring the department to notify the taxpayer in a specified manner if the department determines an application is incomplete; providing that such taxpayer has a specified timeframe to correct any deficiency; providing that certain applications are deemed complete on a specified date; prohibiting taxpayers from claiming a tax credit of more than a specified amount; authorizing the carryforward of credits in a specified manner; providing the maximum amount of credit that may be granted during specified fiscal years; authorizing the department to consult with specified entities for a certain purpose; amending s. 220.222, F.S.; providing an automatic extension for the due date for a specified return in certain circumstances; amending s. 374.986, F.S.; revising obsolete provisions; creating s. 402.261, F.S.; defining terms; authorizing certain taxpayers to receive tax credits for certain actions; providing requirements for such credits; specifying the maximum tax credit that may be granted for a specified timeframe; authorizing tax credits be carried forward; requiring repayment of tax credits under certain conditions and using a specified formula; requiring certain taxpayers to file specified returns and reports; requiring that certain funds be distributed; requiring taxpayers to submit applications beginning on a specified date to receive tax credits; requiring the application to include certain information; requiring the Department of Revenue to approve tax credits in a specified manner; prohibiting the transfer of a tax credit; providing an exception; requiring the department to approve certain transfers; requiring a specified approval before the transfer of certain credits; authorizing credits to be rescinded during a specified time period; requiring specified approval before certain credits may be rescinded; requiring rescinded credits to be made available for use in a specified manner; requiring the department to provide specified letters in a certain time period with certain information; authorizing the department to adopt rules; amending s. 402.62, F.S.; revising the requirements for the Department of Children and Families in designating eligible charitable organizations; increasing the Strong Families Tax Credit cap; specifying when applications may be submitted to the Department of Revenue; amending s. 413.4021, F.S.; increasing the distribution for a specified program; amending s. 561.121, F.S.; providing for a specified distribution to specified entities of funds collected from certain excise taxes on alcoholic beverages and

license fees on vendors; prohibiting such distribution from exceeding a certain amount; providing for the uses of such funds; prohibiting the use of such moneys for securing bonds; providing for future repeal; creating s. 561.1214, F.S.; authorizing the use of credits against certain taxes beginning on a specified date; providing a limitation on such credits; providing applicability; providing construction; reenacting s. 571.26, F.S., relating to the Florida Agricultural Promotional Campaign Trust Fund; repealing s. 41 of chapter 2023-157, Laws of Florida, which provides for the expiration and reversion of a specified provision of law; amending s. 571.265, F.S.; deleting the future repeal of provisions related to the promotion of Florida thoroughbred breeding and of thoroughbred racing; amending s. 624.509, F.S.; revising the order in which certain credits and deductions may be taken to incorporate changes made by the act; amending s. 624.5107, F.S.; authorizing the use of credits against certain taxes beginning on a specified date; providing a limitation; providing construction; providing applicability; providing for retroactive application; creating s. 624.5108, F.S.; requiring insurers to deduct specified amounts from the premiums for certain policies; defining the term "flood"; providing applicability; requiring the deductions amount to be separately stated; providing reporting requirements; providing that such deductions do not reduce insurers' direct written premiums; providing for a credit for a specified timeframe against insurance premium tax for insurers in a specified amount; exempting insurers claiming such credit from retaliatory tax; providing construction; requiring the department to refund unused credit under a certain circumstance; requiring certain insurers to include certain information with their quarterly and annual statements; requiring the office to include certain information in certain reports; authorizing the department to perform necessary audits and investigations; requiring the Office of Insurance Regulation to provide technical assistance; requiring the office to examine certain information and take corrective measures; authorizing the department and the office to adopt emergency rules; providing for future repeal; exempting from sales and use tax specified disaster preparedness supplies during specified timeframes; providing applicability; authorizing the department to adopt emergency rules; exempting from sales and use tax admissions to certain events, performances, and facilities, certain season tickets, and the retail sale of certain boating and water activity, camping, fishing, general outdoor, residential pool supplies and electric scooters during specified timeframes; defining terms; providing applicability; authorizing the department to adopt emergency rules; exempting from sales and use tax the retail sale of certain clothing, wallets, bags, school supplies, learning aids and jigsaw puzzles, and personal computers and personal computer-related accessories during a specified timeframe; defining terms; providing applicability; authorizing certain dealers to opt out of participating in the tax holiday, subject to certain requirements; authorizing the department to adopt emergency rules; exempting from the sales and use tax the retail sale of certain tools during a specified timeframe; providing applicability; authorizing the department to adopt emergency rules; authorizing the department to adopt emergency rules for specified provisions; providing for future expiration; providing an appropriation to offset certain reductions in ad valorem tax revenue; authorizing affected fiscally constrained counties to apply for appropriated funds; specifying application requirements; authorizing the department to adopt emergency rules; providing for future repeal; providing an appropriation; providing effective dates.

Senator Ingoglia moved the following amendment to **Amendment 1 (798738)** which was adopted:

Amendment 1A (357546)—Delete line 2771 and insert:
565.02(9), and 565.12, 13 percent of monthly collections shall be

Amendment 1 (798738), as amended, was adopted.

Pursuant to Rule 4.19, **CS for HB 7073**, as amended, was placed on the calendar of Bills on Third Reading.

LOCAL BILL CALENDAR

MOTIONS

On motion by Senator Mayfield, the rules were waived and **HB 191**, **HB 509**, **HB 691**, **HB 741**, **CS for HB 755**, **CS for HB 793**, **HB 819**, **CS for HB 821**, **HB 823**, **CS for HB 867**, **HB 897**, **HB 1023**, **HB 1025**, **HB 1115**, **HB 1117**, **CS for CS for HB 1165**, **HB 1483**, **CS for HB 1571**, **HB 1573**, **HB 1575**, and **HB 1577** on the Local Bill Calendar were withdrawn from the Committee on Rules, read a second and third time by title, and passed this day.

HB 191—A bill to be entitled An act relating to the Town of Orchid, Indian River County; providing legislative intent; providing an exception to general law; authorizing the Town of Orchid in Indian River County to hold public meetings within specified mileage of its jurisdictional boundary under certain circumstances; providing an effective date.

—was read the second time by title. On motion by Senator Grall, by two-thirds vote, **HB 191** 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

HB 509—A bill to be entitled An act relating to Collier Mosquito Control District, Collier County; amending chapter 2001-298, Laws of Florida, as amended; amending district boundaries to add new lands; providing that the boundary expansion was approved at referendum; providing an effective date.

—was read the second time by title. On motion by Senator Martin, by two-thirds vote, **HB 509** 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

HB 691—A bill to be entitled An act relating to the Town of Horseshoe Beach, Dixie County; providing an exception to general law; requiring the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue a special alcoholic beverage license to certain restaurants in the town which meet certain space, seating, and minimum gross revenue requirements; providing conditions for revocation of such license or denial of a pending application for such license; providing an effective date.

—was read the second time by title. On motion by Senator Simon, by two-thirds vote, **HB 691** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—1

Yarborough

HB 741—A bill to be entitled An act relating to the Town of Hillsboro Beach, Broward County; requiring the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue a special alcoholic beverage license to a residential condominium that meets certain requirements; limiting the issuance of such license and the provision and sale of alcoholic beverages under such license; authorizing the division to regulate and supervise residential condominiums to which such licenses have been issued; authorizing the division to revoke or suspend such licenses under certain circumstances; providing an effective date.

—was read the second time by title. On motion by Senator Polsky, by two-thirds vote, **HB 741** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—1

Yarborough

CS for HB 755—A bill to be entitled An act relating to the Canaveral Port District, Brevard County; amending chapter 2014-241, Laws of Florida; revising provisions relating to the publication of legal notices; correcting references to certain courts; revising a provision limiting the location of a foreign trade zone; clarifying authority to engage or employ attorneys; revising notice and approval requirements for certain leases; deleting obsolete provisions for commissioner terms; revising a provision relating to the payment of a filing fee; providing for the use of electronic recordkeeping; providing for an increase in the amount of levied tax permitted to be used for payment of principal and interest on revenue certificates and bonds; revising provisions relating to advertisement for competitive solicitations by the port authority; revising provisions relating to contracts and competitive bids; revising circumstances under which specified competitive bid requirements do not apply; conforming provisions to changes made by the act; requiring the port authority to take reasonable measures to support the Commercial Space Launch Industry and to submit an annual report; providing a definition; requiring the port authority to hold public hearings to discuss the state of the Commercial Space Launch Industry interests; providing requirements for such hearings and notices; providing construction; providing an effective date.

—was read the second time by title. On motion by Senator Mayfield, by two-thirds vote, **CS for HB 755** 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 HB 793—A bill to be entitled An act relating to the Coral Springs Improvement District, Broward County; amending chapter 2004-469, Laws of Florida; prohibiting the board of supervisors of the district from receiving bids on certain contracts; providing an exception; requiring the board to comply with certain statutory bidding procedures; authorizing the board to reject all bids if such rejection is in the best interests of the district; providing that competitive bidding for certain contracts is subject to certain statutory provisions; requiring the district to adopt rules; authorizing the district to apply to the Department of Management Services to purchase certain commodities and contractual services; providing an effective date.

—was read the second time by title. On motion by Senator Polsky, by two-thirds vote, **CS for HB 793** 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

HB 819—A bill to be entitled An act relating to the Lehigh Acres Municipal Services Improvement District, Hendry and Lee Counties; amending chapter 2015-202, Laws of Florida, as amended; expanding the territorial boundaries of the district; providing an effective date.

—was read the second time by title. On motion by Senator Martin, by two-thirds vote, **HB 819** 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 HB 821—A bill to be entitled An act relating to the Melbourne-Tillman Water Control District, Brevard County; amending chapter 2001-336, Laws of Florida; deleting obsolete language; revising maximum stormwater management user fees for residential, agricultural, and commercial parcels of land; providing an effective date.

—was read the second time by title. On motion by Senator Mayfield, by two-thirds vote, **CS for HB 821** 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

HB 823—A bill to be entitled An act relating to the North Okaloosa Fire District, Okaloosa County; amending chapter 2001-333, Laws of Florida, as amended; authorizing the Board of Fire Commissioners of the district to establish a schedule of impact fees for new construction within its jurisdictional boundaries under certain circumstances; providing for use of such impact fees; defining the term "new facilities"; requiring recordkeeping; authorizing agreements with general purpose local governments for certain purposes; providing an effective date.

—was read the second time by title. On motion by Senator Trumbull, by two-thirds vote, **HB 823** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

CS for HB 867—A bill to be entitled An act relating to the North River Ranch Improvement Stewardship District, Manatee County; amending chapter 2020-191, Laws of Florida, as amended; revising the boundaries of the district; providing an effective date.

—was read the second time by title. On motion by Senator Boyd, by two-thirds vote, **CS for HB 867** 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

HB 897—A bill to be entitled An act relating to the Dorcas Fire District, Okaloosa County; amending chapter 2005-331, Laws of Florida; providing that the district is a dependent special district; removing provisions relating to the district's status as an independent special district; providing that the Okaloosa County Board of County Commissioners or its appointees shall serve as the governing board of the district; deleting provisions relating to the duties, election, terms, compensation, and meetings of the district board of commissioners; removing the requirement that a resolution or ordinance adopted by the board and approved by referendum only be repealed by referendum; authorizing the district to assess ad valorem taxes and non-ad valorem assessments, and to impose and foreclose non-ad valorem assessment liens, as authorized by law; removing the board's authority to enter into certain agreements with general purpose local governments; revising the rate of assessment of non-ad valorem assessments by the district; providing that expansion and merger of the district shall be ratified by the board; providing severability; providing an effective date.

—was read the second time by title. On motion by Senator Trumbull, by two-thirds vote, **HB 897** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Simon	Torres	Yarborough
Stewart	Trumbull	
Thompson	Wright	

Nays—None

HB 1023—A bill to be entitled An act relating to St. Lucie County; providing an exception to general law; providing definitions; limiting compensation to a health care provider that provides medical services for an inmate housed in a St. Lucie County detention center if the provider does not have a contract with the county to provide such services; limiting compensation to an entity that provides emergency medical transportation services for an inmate housed in a St. Lucie County detention center if the entity does not have a contract with the county to provide such services; providing applicability; providing an effective date.

—was read the second time by title. On motion by Senator Grall, by two-thirds vote, **HB 1023** 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

HB 1025—A bill to be entitled An act relating to the Municipal Service District of Ponte Vedra Beach, St. Johns County; amending ch. 82-375, Laws of Florida, as amended; revising provisions relating to terms of office of District Trustees; revising the capital expenditure amount required to be approved by the voters of the district; revising the authority of the district to approve such expenditure; revising a limitation on the amount of the district's contingency reserves; providing an effective date.

—was read the second time by title. On motion by Senator Hutson, by two-thirds vote, **HB 1025** 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

HB 1115—A bill to be entitled An act relating to the Three Rivers Stewardship District, Sarasota County; amending chapter 2023-337, Laws of Florida; revising the boundaries of the district; providing an effective date.

—was read the second time by title. On motion by Senator Gruters, by two-thirds vote, **HB 1115** 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

HB 1117—A bill to be entitled An act relating to the City of North Port, Sarasota County; creating the Star Farms Village at North Port Stewardship District; providing a short title; providing legislative findings and intent; providing definitions; stating legislative policy regarding creation of the district; establishing compliance with minimum requirements for creation of an independent special district; providing for creation and establishment of the district; establishing the legal boundaries of the district; providing for the jurisdiction and charter of the district; providing for a board of supervisors; providing for election, membership, terms, meetings, and duties of board members; providing a method for transition of the board from landowner control to control by the resident electors of the district; providing for a district manager and district personnel; providing for a district treasurer, selection of a public depository, and district budgets and financial reports; providing the general and special powers of the district; providing for bonds; providing for borrowing; providing for future ad valorem taxation; providing for special assessments; providing for issuance of certificates of indebtedness; providing for tax liens; providing for competitive procurement; providing for fees and charges; providing for termination, contraction, expansion, or merger of the district; providing for required notices to purchasers of residential units within the district; specifying district public property; providing severability; providing for a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Gruters, by two-thirds vote, **HB 1117** 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 HB 1165—A bill to be entitled An act relating to the Town of Sneads, Jackson County; transferring real property from the Board of Trustees of the Internal Improvement Trust Fund to the Town Council of the Town of Sneads; providing requirements for the use and the sale or disposition of the real property; requiring conveyance of the real property by a specified date; providing an effective date.

—was read the second time by title. On motion by Senator Trumbull, by two-thirds vote, **CS for CS for HB 1165** 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

HB 1483—A bill to be entitled An act relating to the Pinellas County Construction Licensing Board, Pinellas County; codifying, reenacting, amending, and repealing special acts relating to the board; providing definitions; revising membership of the board; revising commencement and expiration of terms; removing provisions relating to registration; removing obsolete funding and certification provisions; removing provisions requiring a code compliance bond and proof of certain liability insurance as conditions for certification; repealing chapters 75-489, 78-594, 81-466, 85-490, 86-444, 89-504, 93-387, 99-441, 2002-350, 2003-319, 2004-403, 2018-179, and 2019-184, Laws of Florida; providing an effective date.

—was read the second time by title. On motion by Senator Hooper, by two-thirds vote, **HB 1483** 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 HB 1571—A bill to be entitled An act relating to the Florida Keys Aqueduct Authority, Monroe County; removing a provision prohibiting the combination of a water system with a sewer system within the geographic boundaries of the authority for purposes of financing; providing an effective date.

—was read the second time by title. On motion by Senator Rodriguez, by two-thirds vote, **CS for HB 1571** 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

HB 1573—A bill to be entitled An act relating to the Pace Fire Rescue District, Santa Rosa County; amending chapter 2017-221, Laws of Florida; repealing the district's authority to levy and collect ad valorem taxes; establishing maximum rates for non-ad valorem assessments; providing an exception to general law relating to the initial levy of non-ad valorem assessments; providing effective dates.

—was read the second time by title. On motion by Senator Broxson, by two-thirds vote, **HB 1573** 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

HB 1575—A bill to be entitled An act relating to the Avalon Beach-Mulat Fire Protection District, Santa Rosa County; amending chapter 2005-347, Laws of Florida; repealing the district's authority to levy ad valorem taxes; establishing maximum rates for non-ad valorem assessments; providing an exception to general law relating to the initial levy of non-ad valorem assessments; providing effective dates.

—was read the second time by title. On motion by Senator Broxson, by two-thirds vote, **HB 1575** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

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

Nays—None

HB 1577—A bill to be entitled An act relating to the Midway Fire District, Santa Rosa County; amending chapter 2003-364, Laws of Florida; repealing the district's authority to levy ad valorem taxes; establishing maximum rates for non-ad valorem assessments; providing an exception to general law relating to the initial levy of non-ad valorem assessments; providing effective dates.

—was read the second time by title. On motion by Senator Broxson, by two-thirds vote, **HB 1577** 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

RECESS

The President declared the Senate in recess at 11:37 a.m. to reconvene at 1:30 p.m.

AFTERNOON SESSION

The Senate was called to order by President Passidomo at 1:30 p.m. A quorum present—39:

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

SPECIAL RECOGNITION

Senator DiCeglie recognized his daughter, Livia, who was present in the gallery.

Senator Rouson recognized his son, Daniel Rouson, Sr., and his four grandchildren, Jayla Mack, Rubye Rouson, Dakota Rouson, and Daniel Rouson, Jr., who were present in the gallery.

MOMENT OF SILENCE

At the request of Senator Mayfield, the Senate observed a moment of silence in memory of Jerry Sansom, an advocate for commercial fishermen and longtime Executive Director of the Organized Fishermen of Florida. Mr. Sansom was married to former State Representative Dixie Sansom (1984-1992) and passed away on March 6, 2024.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 280, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for SB 280—A bill to be entitled An act relating to vacation rentals; amending s. 212.03, F.S.; requiring advertising platforms to collect and remit specified taxes for certain vacation rental transactions; reordering and amending s. 509.013, F.S.; defining the term "advertising platform"; making technical changes; amending s. 509.032, F.S.; adding licensing to the regulated activities of public lodging establishments and public food service establishments which are preempted to the state; providing applicability; revising an exception to the prohibition against certain local regulation of vacation rentals; providing applicability; preempting the regulation of advertising platforms to the state; authorizing the adoption of local laws, ordinances, or regulations that require the registration of vacation rentals; authorizing local governments to adopt vacation rental registration programs and impose fines for failure to register; requiring a local government to prepare a business impact estimate under certain circumstances; authorizing local governments to charge a reasonable fee for processing registration applications; authorizing local laws, ordinances, or regulations to require annual renewal of a registration and to charge a reasonable fee for such renewal; providing that a change in ownership may require a new application for registration; authorizing local governments to charge a reasonable fee to inspect a vacation rental for a specified purpose; specifying requirements and procedures for, and limitations on, local vacation rental registration programs; authorizing local governments to fine vacation rental operators under certain circumstances; specifying procedures related to the imposition of fines; providing applicability relating to certain money judgment provisions; requiring local governments to issue a written notice of violation under certain circumstances; requiring the code enforcement board or special magistrate to make certain recommendations under specified circumstances; authorizing local governments to suspend a vacation rental registration for specified periods of time; prohibiting local governments from suspending a vacation rental registration for violations that are not directly related to the vacation rental premises; requiring local governments to provide notice of registration suspension, within a specified timeframe, to vacation rental operators and the Division of Hotels and Restaurants of the Department of Business and Professional Regulation; providing requirements for such notice; requiring, by a certain date, local governments to use the vacation rental information system to provide such notice to the division; providing that local governments may revoke or refuse to renew a vacation rental registration under certain circumstances; requiring local governments to provide notice of revocation of or refusal to renew a vacation rental registration to vacation rental operators and the division within a specified timeframe; requiring, by a certain date, local governments to use the vacation rental information system to provide such notice to the division; providing that vacation rental operators may appeal a denial, suspension, or revocation of, or a refusal to renew, the registration of a vacation rental; providing procedures for such appeal; providing construction; amending s. 509.241, F.S.; authorizing the division to issue temporary licenses upon receipt of vacation rental license applications while such applications are pending; providing for expiration of such licenses; requiring that any license issued by the division be conspicuously displayed to the public inside

the licensed establishment; requiring that a vacation rental's registration number, if applicable, be conspicuously displayed inside the vacation rental; requiring the division to assign a unique identifier on each vacation rental license which identifies each individual vacation rental dwelling or unit; creating s. 509.243, F.S.; requiring advertising platforms to require that persons placing advertisements or listings for vacation rentals include certain information in the advertisements or listings and attest to certain information; requiring advertising platforms to display certain information; requiring, as of a specified date, advertising platforms to verify certain information before publishing an advertisement or listing on their platforms, prohibit and remove from public view an advertisement or a listing under certain circumstances, and make certain notifications and provide certain information to the division; requiring the division, upon request, to share certain reports and records with the Department of Revenue, local tax authorities, and local governments; providing that such records may be used for auditing and enforcement purposes; requiring advertising platforms to collect and remit specified taxes for certain transactions; authorizing the division to issue and deliver a notice to cease and desist for certain violations; providing that such notice does not constitute agency action for which certain hearings may be sought; authorizing the division to issue cease and desist notices in certain circumstances; providing that issuance of such notice does not constitute an agency action; authorizing the division to file certain proceedings for the purpose of enforcing a cease and desist notice; authorizing the division to collect attorney fees and costs under certain circumstances; authorizing the division to impose a fine on advertising platforms for certain violations; requiring the division to issue written notice of violations to advertising platforms before commencing certain legal proceedings; requiring advertising platforms to adopt an antidiscrimination policy and to inform their users of the policy's provisions; providing construction; creating s. 509.244, F.S.; defining the term "application program interface"; requiring the division, by a specified date, to create and maintain a certain vacation rental information system; specifying requirements for the system; amending s. 509.261, F.S.; authorizing the division to revoke, refuse to issue or renew, or suspend vacation rental licenses under certain circumstances; requiring the division to specify the number of the license number of the vacation rental dwelling or unit which has been revoked, not renewed, or suspended; requiring the division to input such status in the vacation rental information system; requiring that the division's vacation rental license suspension run concurrently with a local vacation rental registration suspension; amending ss. 159.27, 212.08, 316.1955, 404.056, 477.0135, 509.221, 553.5041, 559.955, 561.20, 705.17, 705.185, 717.1355, and 877.24, F.S.; conforming cross-references; providing construction; authorizing the Department of Revenue to adopt emergency rules; providing requirements and an expiration date for the emergency rules; providing for the expiration of such rulemaking authority; providing an appropriation; providing effective dates.

House Amendment 2 (814927) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Effective January 1, 2025, subsection (2) of section 212.03, Florida Statutes, is amended to read:

212.03 Transient rentals tax; rate, procedure, enforcement, exemptions.—

(2)*(a)* The tax provided for *in this section is* ~~herein shall be~~ in addition to the total amount of the rental, *must* ~~shall~~ be charged by the lessor or person receiving the rent in and by said rental arrangement to the lessee or person paying the rental, and *is* ~~shall be~~ due and payable at the time of the receipt of such rental payment by the lessor or person, as defined in this chapter, who receives *such* ~~said~~ rental or payment. The owner, lessor, or person receiving the rent shall remit the tax to the department at the times and in the manner hereinafter provided for dealers to remit taxes under this chapter. The same duties imposed by this chapter upon dealers in tangible personal property respecting the collection and remission of the tax; the making of returns; the keeping of books, records, and accounts; and the compliance with the rules and regulations of the department in the administration of this chapter ~~shall~~ apply to and *are* ~~be~~ binding upon all persons who manage or operate hotels, apartment houses, roominghouses, tourist and trailer camps, and the rental of condominium units, and to all persons who collect or receive such rents on behalf of such owner or lessor taxable under this chapter.

(b) If a guest uses a payment system on or through an advertising platform as defined in s. 509.013 to pay for the rental of a vacation rental located in this state, the advertising platform, or the operator, as defined in s. 509.013, listing a vacation rental with an advertising platform, must collect and remit taxes as provided in this paragraph.

1. An advertising platform that owns, operates, or manages a vacation rental or that is related within the meaning of s. 267(b), s. 707(b), or s. 1504 of the Internal Revenue Code of 1986, as amended, to a person who owns, operates, or manages the vacation rental shall collect and remit all taxes due under this section and ss. 125.0104, 125.0108, 205.044, 212.0305, and 212.055 which are related to the rental.

2. An advertising platform to which subparagraph 1. does not apply shall collect and remit all taxes due from the owner, operator, or manager under this section and ss. 125.0104, 125.0108, 205.044, 212.0305, and 212.055 which are related to the rental. Of the total amount paid by the lessee or rentee, the amount retained by the advertising platform for reservation or payment services is not taxable under this section or ss. 125.0104, 125.0108, 205.044, 212.0305, and 212.055.

In order to facilitate the remittance of such taxes, the department and counties that have elected to self-administer the taxes imposed under chapter 125 shall allow advertising platforms to register, collect, and remit such taxes.

Section 2. Section 509.013, Florida Statutes, is reordered and amended to read:

509.013 Definitions.—As used in this chapter, *except as provided in subsection (14),* the term:

(1) "Advertising platform" means a person as defined in s. 1.01(3) which:

(a) Provides an online application, software, a website, or a system through which a vacation rental located in this state is advertised or held out to the public as available to rent for transient occupancy;

(b) Provides or maintains a marketplace for the renting of a vacation rental for transient occupancy; and

(c) Provides a reservation or payment system that facilitates a transaction for the renting of a vacation rental for transient occupancy and for which the person collects or receives, directly or indirectly, a fee in connection with the reservation or payment service provided for the rental transaction.

(3)~~(1)~~ "Division" means the Division of Hotels and Restaurants of the Department of Business and Professional Regulation.

(8)~~(2)~~ "Operator" means the owner, licensee, proprietor, lessee, manager, assistant manager, or appointed agent of a public lodging establishment or public food service establishment.

(4)~~(3)~~ "Guest" means any patron, customer, tenant, lodger, boarder, or occupant of a public lodging establishment or public food service establishment.

(10)(a)~~(4)(a)~~ "Public lodging establishment" includes a transient public lodging establishment as defined in *subparagraph 2.* ~~subparagraph 1.~~ and a nontransient public lodging establishment as defined in *subparagraph 1* ~~subparagraph 2~~.

2.~~1.~~ "Transient public lodging establishment" means any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests more than three times in a calendar year for periods of less than 30 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests.

1.~~2.~~ "Nontransient public lodging establishment" means any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests for periods of at least 30 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests for periods of at least 30 days or 1 calendar month.

License classifications of public lodging establishments, and the definitions therefor, are *as provided* ~~set out~~ in s. 509.242. For the purpose of licensure, the term does not include condominium common elements as defined in s. 718.103.

(b) The following are excluded from the definitions in paragraph (a):

1. Any dormitory or other living or sleeping facility maintained by a public or private school, college, or university for the use of students, faculty, or visitors.

2. Any facility certified or licensed and regulated by the Agency for Health Care Administration or the Department of Children and Families or other similar place regulated under s. 381.0072.

3. Any place renting four rental units or less, unless the rental units are advertised or held out to the public to be places that are regularly rented to transients.

4. Any unit or group of units in a condominium, cooperative, or timeshare plan and any individually or collectively owned one-family, two-family, three-family, or four-family dwelling house or dwelling unit that is rented for periods of at least 30 days or 1 calendar month, whichever is less, and that is not advertised or held out to the public as a place regularly rented for periods of less than 1 calendar month, provided that no more than four rental units within a single complex of buildings are available for rent.

5. Any migrant labor camp or residential migrant housing permitted by the Department of Health under ss. 381.008-381.00895.

6. Any establishment inspected by the Department of Health and regulated by chapter 513.

7. *A facility operated by a nonprofit which provides* ~~Any nonprofit organization that operates a facility providing~~ housing only to patients, patients' families, and patients' caregivers and not to the general public.

8. Any apartment building inspected by the United States Department of Housing and Urban Development or other entity acting on the department's behalf *which* ~~that~~ is designated primarily as housing for persons at least 62 years of age. The division may require the operator of the apartment building to attest in writing that such building meets the criteria provided in this subparagraph. The division may adopt rules to implement this requirement.

9. Any roominghouse, boardinghouse, or other living or sleeping facility that may not be classified as a hotel, motel, timeshare project, vacation rental, nontransient apartment, bed and breakfast inn, or transient apartment under s. 509.242.

(9)(a)~~(5)(a)~~ "Public food service establishment" means any building, vehicle, place, or structure, or any room or division in a building, vehicle, place, or structure where food is prepared, served, or sold for immediate consumption on or in the vicinity of the premises; called for or taken out by customers; or prepared *before* ~~prior to~~ being delivered to another location for consumption. The term includes a culinary education program, as defined in s. 381.0072(2), which offers, prepares, serves, or sells food to the general public, regardless of whether it is inspected by another state agency for compliance with sanitation standards.

(b) The following are excluded from the definition in paragraph (a):

1. Any place maintained and operated by a public or private school, college, or university:

a. For the use of students and faculty; or

b. Temporarily, to serve such events as fairs, carnivals, food contests, cook-offs, and athletic contests.

2. Any eating place maintained and operated by a church or a religious, nonprofit fraternal, or nonprofit civic organization:

a. For the use of members and associates; or

b. Temporarily, to serve such events as fairs, carnivals, food contests, cook-offs, or athletic contests.

Upon request by the division, a church or a religious, nonprofit fraternal, or nonprofit civic organization claiming an exclusion under this subparagraph must provide the division documentation of its status as a church or a religious, nonprofit fraternal, or nonprofit civic organization.

3. Any eating place maintained and operated by an individual or entity at a food contest, cook-off, or a temporary event lasting from 1 to 3 days which is hosted by a church or a religious, nonprofit fraternal, or nonprofit civic organization. Upon request by the division, the event host must provide the division documentation of its status as a church or a religious, nonprofit fraternal, or nonprofit civic organization.

4. Any eating place located on an airplane, *a* train, *a* bus, or *a* watercraft *that* ~~which~~ is a common carrier.

5. Any eating place maintained by a facility certified or licensed and regulated by the Agency for Health Care Administration or the Department of Children and Families or other similar place that is regulated under s. 381.0072.

6. Any place of business issued a permit or inspected by the Department of Agriculture and Consumer Services under s. 500.12.

7. Any place of business where the food available for consumption is limited to ice, beverages with or without garnishment, popcorn, or prepackaged items sold without additions or preparation.

8. Any theater, if the primary use is as a theater and if patron service is limited to food items customarily served to the admittees of theaters.

9. Any vending machine that dispenses any food or beverages other than potentially hazardous foods, as defined by division rule.

10. Any vending machine that dispenses potentially hazardous food and which is located in a facility regulated under s. 381.0072.

11. Any research and development test kitchen limited to the use of employees and which is not open to the general public.

(2)~~(6)~~ "Director" means the Director of the Division of Hotels and Restaurants of the Department of Business and Professional Regulation.

(11)~~(7)~~ "Single complex of buildings" means all buildings or structures that are owned, managed, controlled, or operated under one business name and are situated on the same tract or plot of land that is not separated by a public street or highway.

(12)~~(8)~~ "Temporary food service event" means any event of 30 days or less in duration where food is prepared, served, or sold to the general public.

(13)~~(9)~~ "Theme park or entertainment complex" means a complex comprised of at least 25 contiguous acres owned and controlled by the same business entity and which contains permanent exhibitions and a variety of recreational activities and has a minimum of 1 million visitors annually.

(14)~~(10)~~ "Third-party provider" means, for purposes of s. 509.049, any provider of an approved food safety training program that provides training or such a training program to a public food service establishment that is not under common ownership or control with the provider.

(16)~~(11)~~ "Transient establishment" means any public lodging establishment that is rented or leased to guests by an operator whose intention is that such guests' occupancy will be temporary.

(17)~~(12)~~ "Transient occupancy" means occupancy when it is the intention of the parties that the occupancy will be temporary. There is a rebuttable presumption that, when the dwelling unit occupied is not the sole residence of the guest, the occupancy is transient.

(15)~~(13)~~ "Transient" means a guest in transient occupancy.

(6)~~(14)~~ "Nontransient establishment" means any public lodging establishment that is rented or leased to guests by an operator whose

intention is that the dwelling unit occupied will be the sole residence of the guest.

(7)~~(15)~~ "Nontransient occupancy" means occupancy when it is the intention of the parties that the occupancy will not be temporary. There is a rebuttable presumption that, when the dwelling unit occupied is the sole residence of the guest, the occupancy is nontransient.

(5)~~(16)~~ "Nontransient" means a guest in nontransient occupancy.

Section 3. Paragraph (c) of subsection (3) and subsection (7) of section 509.032, Florida Statutes, are amended, and subsection (8) is added to that section, to read:

509.032 Duties.—

(3) SANITARY STANDARDS; EMERGENCIES; TEMPORARY FOOD SERVICE EVENTS.—The division shall:

(c) Administer a public notification process for temporary food service events and distribute educational materials that address safe food storage, preparation, and service procedures.

1. Sponsors of temporary food service events shall notify the division not less than 3 days before the scheduled event of the type of food service proposed, the time and location of the event, a complete list of food service vendors participating in the event, the number of individual food service facilities each vendor will operate at the event, and the identification number of each food service vendor's current license as a public food service establishment or temporary food service event licensee. Notification may be completed orally, by telephone, in person, or in writing. A public food service establishment or food service vendor may not use this notification process to circumvent the license requirements of this chapter.

2. The division shall keep a record of all notifications received for proposed temporary food service events and shall provide appropriate educational materials to the event sponsors and notify the event sponsors of the availability of the food-recovery brochure developed under s. 595.420.

3.a. Unless excluded under *s. 509.013(9)(b)* ~~s. 509.013(5)(b)~~, a public food service establishment or other food service vendor must obtain one of the following classes of license from the division: an individual license, for a fee of no more than $105, for each temporary food service event in which it participates; or an annual license, for a fee of no more than $1,000, *which* ~~that~~ entitles the licensee to participate in an unlimited number of food service events during the license period. The division shall establish license fees, by rule, and may limit the number of food service facilities a licensee may operate at a particular temporary food service event under a single license.

b. Public food service establishments holding current licenses from the division may operate under the regulations of such a license at temporary food service events.

(7) PREEMPTION AUTHORITY.—

(a) The regulation of public lodging establishments and public food service establishments, including, but not limited to, sanitation standards, *licensing,* inspections, training and testing of personnel, and matters related to the nutritional content and marketing of foods offered in such establishments, is preempted to the state. This paragraph does not preempt the authority of a local government or local enforcement district to conduct inspections of public lodging and public food service establishments for compliance with the Florida Building Code and the Florida Fire Prevention Code, pursuant to ss. 553.80 and 633.206.

(b) A local law, ordinance, or regulation may not prohibit vacation rentals or regulate the duration or frequency of rental of vacation rentals. This paragraph *and subsection (8) do* ~~does~~ not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011*, including such a law, ordinance, or regulation that is amended to be less restrictive or to comply with the local registration requirements provided in subsection (8), or when a law, ordinance, or regulation adopted after June 1, 2011, regulates vacation rentals, if such law, ordinance, or regulation is less restrictive than a law, ordinance, or regulation that was in effect on June 1, 2011.*

(c) Paragraph (b) *and subsection (8) do* ~~does~~ not apply to any local law, ordinance, or regulation exclusively relating to property valuation as a criterion for vacation rental if the local law, ordinance, or regulation is required to be approved by the state land planning agency pursuant to an area of critical state concern designation.

(d) Subsection (8) does not apply to any county law, ordinance, or regulation initially adopted on or before January 1, 2016, that established county registration requirements for rental of vacation rentals, and any amendments thereto adopted before January 1, 2024. Such county law, ordinance, or regulation may not be amended or altered except to be less restrictive or to adopt registration requirements as provided in subsection (8).

(e) The regulation of advertising platforms is preempted to the state.

(8) LOCAL REGISTRATION OF VACATION RENTALS; SUSPENSION; REVOCATIONS; FINES.—Notwithstanding paragraph (7)(a), a local law, ordinance, or regulation may require the registration of vacation rentals with a local vacation rental registration program. Local governments may implement a vacation rental registration program pursuant to this subsection and may impose a fine for failure to register under the local program. A local government must prepare a business impact estimate in accordance with s. 125.66(3) or s. 166.041(4), as applicable, before implementing a vacation rental registration program.

(a) A local government may charge a reasonable fee per unit for processing a registration application. A local law, ordinance, or regulation may require annual renewal of a registration and may charge a reasonable renewal fee per unit for processing of a registration renewal. However, if there is a change of ownership, the new owner may be required to submit a new application for registration. Subsequent to the registration of a vacation rental, a local government may charge a reasonable fee to inspect a vacation rental after registration for compliance with the Florida Building Code and the Florida Fire Prevention Code, described in ss. 553.80 and 633.206, respectively.

(b) As a condition of registration or renewal of a vacation rental, a local law, ordinance, or regulation establishing a local vacation rental registration program may only require the operator of a vacation rental to do the following:

1. Submit identifying information about the owner and the operator, if applicable, and the subject vacation rental premises.

2. Provide proof of a license with the unique identifier issued by the division to operate as a vacation rental.

3. Obtain all required tax registrations, receipts, or certificates issued by the Department of Revenue, a county, or a municipality.

4. Update required information as necessary to ensure it is current.

5. Pay in full all recorded municipal or county code liens against the subject vacation rental premises.

6. Designate and maintain at all times a responsible party who is capable of responding to complaints or emergencies related to the vacation rental, including being available by telephone at a provided contact telephone number 24 hours a day, 7 days a week, and receiving legal notice of violations on behalf of the vacation rental operator.

7. State and comply with the maximum overnight occupancy of the vacation rental which does not exceed either two persons per bedroom, plus an additional two persons in one common area; or more than two persons per bedroom if there is at least 50 square feet per person, plus an additional two persons in one common area, whichever is greater.

(c) Within 15 business days after receiving an application for registration of a vacation rental, a local government shall review the application for completeness and accept the registration of the vacation rental or issue a written notice of denial.

1. The vacation rental operator and the local government may agree to a reasonable request to extend the timeframes provided in this paragraph, particularly in the event of a force majeure or other extraordinary circumstance.

2. If a local government fails to accept or deny the registration within the timeframes provided in this paragraph, the application is deemed accepted.

(d) If a local government denies a registration of a vacation rental, the local government must give written notice to the applicant. Such notice may be provided by United States mail or electronically. The notice must specify with particularity the factual reasons for the denial and include a citation to the applicable portions of the ordinance, rule, statute, or other legal authority for the denial of the registration. A local government may not prohibit an applicant from reapplying if the applicant cures the identified deficiencies.

(e)1. Upon acceptance of a vacation rental registration, a local government shall assign a unique registration number to the vacation rental unit and provide the registration number or other indicia of registration to the vacation rental operator in writing or electronically.

2. A local government shall, within 5 days after acceptance of a vacation rental registration, provide the registration number to the division.

(f)1. A local government may fine a vacation rental operator up to $500 if he or she:

a. Fails to continue to meet the registration requirements in paragraph (b); or

b. Is operating a vacation rental without registering it with the local government as a vacation rental.

2. Before issuing a fine for a violation of subparagraphs (b)1.-6., the local government shall issue written notice of such violation and provide a vacation rental operator 15 days to cure the violation. If the vacation rental operator has not cured the violation within the 15 days, the local government may issue a fine.

(g) A certified copy of an order imposing a fine may be recorded in the public records and thereafter constitutes a lien against the real property on which the violation occurred. Upon petition to the circuit court, such order is enforceable in the same manner as a court judgment by the sheriffs of this state, including execution and levy against the personal property of the violator, but such order may not be deemed to be a court judgment except for enforcement purposes. A fine imposed pursuant to this subsection will continue to accrue until the violator comes into compliance or until judgment is rendered in a suit filed pursuant to this section, whichever occurs first. A lien arising from a fine imposed pursuant to this subsection runs in favor of the local government, and the local government shall execute a satisfaction or release of lien upon full payment. If such lien remains unpaid 3 months or more after the filing of the lien, the local government may foreclose on the lien against the real property on which the violation occurred or sue to recover a money judgment for the amount of the lien, plus accrued interest. A lien created pursuant to this part may not be foreclosed on real property that is a homestead under s. 4, Art. X of the State Constitution. The money judgment provisions of this section do not apply to real property or personal property that is covered under s. 4(a), Art. X of the State Constitution.

(h)1. If a code violation related to the vacation rental is found by the code enforcement board or special magistrate to be a material violation of a local law, ordinance, or regulation that does not solely apply to vacation rentals, and the violation is directly related to the vacation rental premises, the local government must issue a written notice of such violation.

2. If a code violation related to the vacation rental is found to be a material violation of a local law, ordinance, or regulation as described in subparagraph 1., the code enforcement board or special magistrate must make a recommendation to the local government as to whether a vacation rental registration should be suspended.

3. The code enforcement board or special magistrate must recommend the suspension of the vacation rental registration if there are:

a. One or more violations on 5 separate days during a 60-day period;

b. One or more violations on 5 separate days during a 30-day period; or

c. One or more violations after two prior suspensions of the vacation rental registration.

4. If the code enforcement board or special magistrate recommends suspension of a vacation rental registration, a local government may suspend such registration for a period of:

a. Up to 30 days for one or more violations on 5 separate days during a 60-day period;

b. Up to 60 days for one or more violations on 5 separate days during a 30-day period; or

c. Up to 90 days for one or more violations after two prior suspensions of a vacation rental registration.

5. A local government may not suspend a vacation rental registration for violations of a local law, ordinance, or regulation which are not directly related to the vacation rental premises.

6. A local government shall provide notice of the suspension of a vacation rental registration to the vacation rental operator and the division within 5 days after the suspension. The notice must include the start date of the suspension, which must be at least 21 days after the suspension notice is sent to the vacation rental operator and the division. Effective January 1, 2026, a local government shall use the vacation rental information system described in s. 509.244 to provide notice of the suspension of a vacation rental registration to the division.

(i)1. A local government may revoke or refuse to renew a vacation rental registration if:

a. A vacation rental registration has been suspended three times pursuant to paragraph (h);

b. There is an unsatisfied, recorded municipal lien or county lien on the real property of the vacation rental. However, the local government shall allow the vacation rental operator at least 60 days before the revocation of a registration to satisfy the recorded municipal lien or county lien; or

c. The vacation rental premises and its owner are the subject of a final order or judgment by a court of competent jurisdiction lawfully directing the termination of the premises' use as a vacation rental.

2. A local government shall provide notice within 5 days after the revocation of, or refusal to renew, a vacation rental registration to the vacation rental operator and the division. The notice must include the date of revocation or nonrenewal, which must be at least 21 days after the date such notice is sent to the vacation rental operator and the division. Effective January 1, 2026, a local government shall use the vacation rental information system described in s. 509.244 to provide notice of the revocation of or refusal to renew a vacation rental registration to the division.

(j) A vacation rental operator may appeal a denial, suspension, or revocation of a vacation rental registration, or a refusal to renew such registration, to the circuit court. An appeal must be filed within 30 days after the issuance of the denial, suspension, or revocation of, or refusal to renew, the vacation rental registration. The court may assess and award reasonable attorney fees and costs and damages to the prevailing party.

This subsection does not prohibit a local government from establishing a local law, ordinance, or regulation if it is uniformly applied without regard to whether the residential property is used as a vacation rental.

Section 4. Effective January 1, 2025, subsections (2) and (3) of section 509.241, Florida Statutes, are amended, and subsection (5) is added to that section, to read:

509.241 Licenses required; exceptions; division online accounts and transactions.—

(2) APPLICATION FOR LICENSE.—Each person who plans to open a public lodging establishment or a public food service establishment shall apply for and receive a license from the division *before* ~~prior to~~ the commencement of operation. A condominium association, as defined in s. 718.103, which does not own any units classified as vacation rentals or timeshare projects under s. 509.242(1)(c) or (g) is not required

to apply for or receive a public lodging establishment license. *Upon receiving an application for a vacation rental license, the division may grant a temporary license that authorizes the vacation rental to begin operation while the application is pending. The temporary license becomes permanent upon final agency action regarding the license application that grants the vacation rental license.*

(3) DISPLAY OF LICENSE.—*A* ~~Any~~ license issued by the division *must* ~~shall~~ be conspicuously displayed *to the public inside* ~~in~~ the ~~office or lobby of the~~ licensed establishment. Public food service establishments *that* ~~which~~ offer catering services *must* ~~shall~~ display their license number on all advertising for catering services. *The vacation rental's local registration number must, if applicable, be conspicuously displayed inside the vacation rental inside the unit in a visible location.*

(5) UNIQUE IDENTIFIER.—The division shall assign a unique identifier on each vacation rental license which identifies each individual vacation rental dwelling or unit.

Section 5. Effective January 1, 2025, section 509.243, Florida Statutes, is created to read:

509.243 Advertising platforms.—

(1) An advertising platform shall require that a person who places an advertisement or a listing of a vacation rental which offers it for rent do all of the following:

(a) Include in the advertisement or listing the vacation rental license number with the associated unique identifier and, if applicable, the local registration number.

(b) Attest to the best of the person's knowledge that the vacation rental's license with the associated unique identifier and, if applicable, its local registration are current and valid and that all related information is accurately stated in the advertisement.

(2) An advertising platform shall display the vacation rental license number with the associated unique identifier, and, if applicable, the local registration number.

(3) Effective January 1, 2026, an advertising platform:

(a) Shall remove from public view an advertisement or a listing from its online application, software, website, or system within 15 business days after notification that a vacation rental license, or if applicable, a local registration:

1. Has been suspended, revoked, or not renewed; or

2. Fails to display a valid vacation rental license number with the associated unique identifier or, if applicable, a local registration number.

(b) Shall provide to the division on a quarterly basis, in a manner compatible with the vacation rental information system described in s. 509.244, a list of all vacation rentals located in this state which are advertised on its platform. The list must include the following information:

1. The uniform resource locator for the Internet address of the vacation rental advertisement; and

2. The vacation rental license number with the associated unique identifier, and, if applicable, the local registration number.

(4) If a guest uses a payment system on or through an advertising platform to pay for the rental of a vacation rental located in this state, the advertising platform, or the operator, as defined in s. 509.013, listing a vacation rental with an advertising platform, must collect and remit all taxes due under ss. 125.0104, 125.0108, 205.044, 212.03, 212.0305, and 212.055 related to the rental as provided in s. 212.03(2)(b).

(5) If the division has probable cause to believe that a person not licensed by the division has violated this chapter or any rule adopted pursuant thereto, the division may issue and deliver to such person a notice to cease and desist from the violation. The issuance of a notice to cease and desist does not constitute agency action for which a hearing under s. 120.569 or s. 120.57 may be sought. For the purpose of enforcing a cease and desist notice, the division may file a proceeding in the name of the state seeking the issuance of an injunction or a writ of mandamus against any person who violates any provision of the notice. If the division is required to seek enforcement of the notice for a penalty pursuant to s. 120.69, it is entitled to collect attorney fees and costs, together with any cost of collection.

(6) The division may fine an advertising platform an amount not to exceed $1,000 per offense for each violation of this section or of division rule. For the purposes of this subsection, the division may regard as a separate offense each day or portion of a day in which an advertising platform is operated in violation of this section or rules of the division. The division shall issue to the advertising platform a written notice of any violation and provide it 15 days to cure the violation before commencing any legal proceeding under subsection (5).

(7) An advertising platform shall adopt an antidiscrimination policy to help prevent discrimination by its users and shall inform all users that it is illegal to refuse accommodation to an individual based on race, creed, color, sex, pregnancy, physical disability, or national origin, as provided in s. 509.092.

(8) This section does not create a private cause of action against advertising platforms. An advertising platform may not be held liable for any action that it takes voluntarily and in good faith in relation to its users in compliance with this chapter or the advertising platform's terms of service.

Section 6. Section 509.244, Florida Statutes, is created to read:

509.244 Vacation rental information system.—

(1) As used in this section, the term "application program interface" means a predefined protocol for reading or writing data across a network using a file system or a database.

(2) By July 1, 2025, the division shall create and maintain a vacation rental information system readily accessible through an application program interface. At a minimum, the system must do all of the following:

(a) Facilitate prompt compliance with this chapter by a licensee or an advertising platform.

(b) Allow advertising platforms to search by vacation rental license number with the associated unique identifier, applicable local registration number, and a listing status field that indicates whether the premises is compliant with applicable license and registration requirements to allow a platform to determine whether it may advertise the vacation rental.

(c) Allow local government users to notify the division of a revocation or failure to renew, or the period of suspension of, a local registration, if applicable.

(d) Provide a system interface to allow local governments and advertising platforms to verify the status of a vacation rental license and a local registration of a vacation rental, if applicable.

(e) Allow a registered user to subscribe to receive automated notifications of changes to the license and registration status of a vacation rental, including any license revocation, local registration revocation, period of suspension imposed by the division or local government, or failure to renew a license or local registration.

Section 7. Subsection (11) is added to section 509.261, Florida Statutes, to read:

509.261 Revocation or suspension of licenses; fines; procedure.—

(11)(a) The division may revoke, refuse to issue or renew, or suspend for a period of not more than 30 days or the period of suspension as provided in s. 509.032(8) a license of a vacation rental for any of the following reasons:

1. Operation of the subject premises violates the terms of an applicable lease or property restriction, including any property restriction adopted pursuant to chapter 718, chapter 719, or chapter 720, as determined by a final order of a court of competent jurisdiction or a written

decision by an arbitrator authorized to arbitrate a dispute relating to the subject premises and a lease or property restriction.

2. Local registration of the vacation rental is suspended or revoked by a local government as provided in s. 509.032(8).

3. The vacation rental premises and its owner are the subject of a final order or judgment lawfully directing the termination of the premises' use as a vacation rental.

(b) The division must specify the license number with the associated unique identifier of the vacation rental dwelling or unit which has been revoked, not renewed, or suspended and input such status in the vacation rental information system described in s. 509.244.

(c) If the division suspends a license for the reason specified in subparagraph (a)2., the suspension must run concurrently with the local registration suspension.

Section 8. Subsection (12) of section 159.27, Florida Statutes, is amended to read:

159.27 Definitions.—The following words and terms, unless the context clearly indicates a different meaning, shall have the following meanings:

(12) "Public lodging or restaurant facility" means property used for any public lodging establishment as defined in s. 509.242 or public food service establishment as defined in *s. 509.013* ~~s. 509.013(5)~~ if it is part of the complex of, or necessary to, another facility qualifying under this part.

Section 9. Paragraph (jj) of subsection (7) of section 212.08, Florida Statutes, is amended to read:

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

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

(jj) *Complimentary meals.*—Also exempt from the tax imposed by this chapter are food or drinks that are furnished as part of a packaged room rate by any person offering for rent or lease any transient *public lodging establishments* ~~living accommodations~~ as described in *s. 509.013(10)(a)* ~~s. 509.013(4)(a)~~ which are licensed under part I of chapter 509 and which are subject to the tax under s. 212.03, if a separate charge or specific amount for the food or drinks is not shown. Such food or drinks are considered to be sold at retail as part of the total charge for the transient living accommodations. Moreover, the person offering the accommodations is not considered to be the consumer of items purchased in furnishing such food or drinks and may purchase those items under conditions of a sale for resale.

Section 10. Paragraph (b) of subsection (4) of section 316.1955, Florida Statutes, is amended to read:

316.1955 Enforcement of parking requirements for persons who have disabilities.—

(4)

(b) Notwithstanding paragraph (a), a theme park or an entertainment complex as defined in *s. 509.013* ~~s. 509.013(9)~~ which provides parking in designated areas for persons who have disabilities may allow any vehicle that is transporting a person who has a disability to remain parked in a space reserved for persons who have disabilities throughout the period the theme park is open to the public for that day.

Section 11. Subsection (5) of section 404.056, Florida Statutes, is amended to read:

404.056 Environmental radiation standards and projects; certification of persons performing measurement or mitigation services; mandatory testing; notification on real estate documents; rules.—

(5) NOTIFICATION ON REAL ESTATE DOCUMENTS.—Notification shall be provided on at least one document, form, or application executed at the time of, or *before* ~~prior to~~, contract for sale and purchase of any building or execution of a rental agreement for any building. Such notification *must* ~~shall~~ contain the following language:

"RADON GAS: Radon is a naturally occurring radioactive gas that, when it has accumulated in a building in sufficient quantities, may present health risks to persons who are exposed to it over time. Levels of radon that exceed federal and state guidelines have been found in buildings in Florida. Additional information regarding radon and radon testing may be obtained from your county health department."

The requirements of this subsection do not apply to any residential transient occupancy, as described in *s. 509.013* ~~s. 509.013(12)~~, provided that such occupancy is 45 days or less in duration.

Section 12. Subsection (6) of section 477.0135, Florida Statutes, is amended to read:

477.0135 Exemptions.—

(6) A license is not required of any individual providing makeup or special effects services in a theme park or entertainment complex to an actor, stunt person, musician, extra, or other talent, or providing makeup or special effects services to the general public. The term "theme park or entertainment complex" has the same meaning as in *s. 509.013* ~~s. 509.013(9)~~.

Section 13. Paragraph (b) of subsection (2) of section 509.221, Florida Statutes, is amended to read:

509.221 Sanitary regulations.—

(2)

(b) Within a theme park or entertainment complex as defined in *s. 509.013* ~~s. 509.013(9)~~, the bathrooms are not required to be in the same building as the public food service establishment, so long as they are reasonably accessible.

Section 14. Paragraph (b) of subsection (5) of section 553.5041, Florida Statutes, is amended to read:

553.5041 Parking spaces for persons who have disabilities.—

(5) Accessible perpendicular and diagonal accessible parking spaces and loading zones must be designed and located to conform to ss. 502 and 503 of the standards.

(b) If there are multiple entrances or multiple retail stores, the parking spaces must be dispersed to provide parking at the nearest accessible entrance. If a theme park or an entertainment complex as defined in *s. 509.013* ~~s. 509.013(9)~~ provides parking in several lots or areas from which access to the theme park or entertainment complex is provided, a single lot or area may be designated for parking by persons who have disabilities, if the lot or area is located on the shortest accessible route to an accessible entrance to the theme park or entertainment complex or to transportation to such an accessible entrance.

Section 15. Paragraph (b) of subsection (5) of section 559.955, Florida Statutes, is amended to read:

559.955 Home-based businesses; local government restrictions.—

(5) The application of this section does not supersede:

(b) Local laws, ordinances, or regulations related to transient public lodging establishments~~,~~ as defined in *s. 509.013(10)(a)2. which* ~~s. 509.013(4)(a)1., that~~ are not otherwise preempted under chapter 509.

Section 16. Paragraph (d) of subsection (7) of section 561.20, Florida Statutes, is amended to read:

561.20 Limitation upon number of licenses issued.—

(7)

(d) Any corporation, partnership, or individual operating a club which owns or leases and which maintains any bona fide beach or cabana club consisting of beach facilities, swimming pool, locker rooms or bathroom facilities for at least 100 persons, and a public food service establishment as defined in *s. 509.013* ~~s. 509.013(5)(a)~~, comprising in all an area of at least 5,000 square feet located on a contiguous tract of land of in excess of 1 acre may be issued a license under s. 565.02(4). The failure of such club to maintain the facilities shall be a ground for revocation of the license.

Section 17. Subsection (2) of section 705.17, Florida Statutes, is amended to read:

705.17 Exceptions.—

(2) Sections 705.1015-705.106 do not apply to any personal property lost or abandoned on premises located within a theme park or entertainment complex, as defined in *s. 509.013* ~~s. 509.013(9)~~, or operated as a zoo, a museum, or an aquarium, or on the premises of a public food service establishment or a public lodging establishment licensed under part I of chapter 509, if the owner or operator of such premises elects to comply with s. 705.185.

Section 18. Section 705.185, Florida Statutes, is amended to read:

705.185 Disposal of personal property lost or abandoned on the premises of certain facilities.—When any lost or abandoned personal property is found on premises located within a theme park or entertainment complex, as defined in *s. 509.013* ~~s. 509.013(9)~~, or operated as a zoo, a museum, or an aquarium, or on the premises of a public food service establishment or a public lodging establishment licensed under part I of chapter 509, if the owner or operator of such premises elects to comply with this section, any lost or abandoned property must be delivered to such owner or operator, who must take charge of the property and make a record of the date such property was found. If the property is not claimed by its owner within 30 days after it is found, or a longer period of time as may be deemed appropriate by the owner or operator of the premises, the owner or operator of the premises may not sell and must dispose of the property or donate it to a charitable institution that is exempt from federal income tax under s. 501(c)(3) of the Internal Revenue Code for sale or other disposal as the charitable institution deems appropriate. The rightful owner of the property may reclaim the property from the owner or operator of the premises at any time before the disposal or donation of the property in accordance with this section and the established policies and procedures of the owner or operator of the premises. A charitable institution that accepts an electronic device, as defined in s. 815.03(9), access to which is not secured by a password or other personal identification technology, shall make a reasonable effort to delete all personal data from the electronic device before its sale or disposal.

Section 19. Section 717.1355, Florida Statutes, is amended to read:

717.1355 Theme park and entertainment complex tickets.—This chapter does not apply to any tickets for admission to a theme park or entertainment complex as defined in *s. 509.013* ~~s. 509.013(9)~~, or to any tickets to a permanent exhibition or recreational activity within such theme park or entertainment complex.

Section 20. Subsection (8) of section 877.24, Florida Statutes, is amended to read:

877.24 Nonapplication of s. 877.22.—Section 877.22 does not apply to a minor who is:

(8) Attending an organized event held at and sponsored by a theme park or entertainment complex as defined in *s. 509.013* ~~s. 509.013(9)~~.

Section 21. *The application of this act does not supersede any current or future declaration or declaration of condominium adopted pursuant to chapter 718, Florida Statutes; any cooperative document adopted pursuant to chapter 719, Florida Statutes; or any declaration or declaration of covenant adopted pursuant to chapter 720, Florida Statutes.*

Section 22. *(1) The Department of Revenue is authorized, and all conditions are deemed to be met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of implementing the amendments made by this act to s. 212.03, Florida Statutes, including establishing procedures to facilitate the remittance of taxes.*

(2) Notwithstanding any other law, emergency rules adopted pursuant to subsection (1) are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

(3) This section expires January 1, 2026.

Section 23. *For the 2024-2025 fiscal year, the sums of $327,170 in recurring funds and $53,645 in nonrecurring funds from the Hotel and Restaurant Trust Fund, $645,202 in recurring funds from the Administrative Trust Fund, and $3,295,884 in nonrecurring funds from the General Revenue Fund are appropriated to the Department of Business and Professional Regulation, and nine full-time equivalent positions with a total associated salary rate of 513,417 are authorized, for the purposes of implementing this act.*

Section 24. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2024.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to vacation rentals; amending s. 212.03, F.S.; requiring advertising platforms or operators listing a vacation rental with an advertising platform to collect and remit specified taxes for certain vacation rental transactions; reordering and amending s. 509.013, F.S.; defining the term "advertising platform"; making technical changes; amending s. 509.032, F.S.; adding licensing to the regulated activities of public lodging establishments and public food service establishments which are preempted to the state; providing applicability; revising an exception to the prohibition against certain local regulation of vacation rentals; providing applicability; preempting the regulation of advertising platforms to the state; authorizing the adoption of local laws, ordinances, or regulations that require the registration of vacation rentals; authorizing local governments to adopt vacation rental registration programs and impose fines for failure to register; requiring a local government to prepare a business impact estimate under certain circumstances; authorizing local governments to charge a reasonable fee for processing registration applications; authorizing local laws, ordinances, or regulations to require annual renewal of a registration and to charge a reasonable fee for such renewal; providing that a change in ownership may require a new application for registration; authorizing local governments to charge a reasonable fee to inspect a vacation rental for a specified purpose; specifying requirements and procedures for, and limitations on, local vacation rental registration programs; authorizing local governments to fine vacation rental operators under certain circumstances; specifying procedures related to the imposition of fines; providing applicability relating to certain money judgment provisions; requiring local governments to issue a written notice of violation under certain circumstances; requiring the code enforcement board or special magistrate to make certain recommendations under specified circumstances; authorizing local governments to suspend a vacation rental registration for specified periods of time; prohibiting local governments from suspending a vacation rental registration for violations that are not directly related to the vacation rental premises; requiring local governments to provide notice of registration suspension, within a specified timeframe, to vacation rental operators and the Division of Hotels and Restaurants of the Department of Business and Professional Regulation; providing requirements for such notice; requiring, by a certain date, local governments to use the vacation rental information system to provide such notice to the division; providing that local governments may revoke or refuse to renew a vacation rental registration under certain circum-

stances; requiring local governments to provide notice of revocation of or refusal to renew a vacation rental registration to vacation rental operators and the division within a specified timeframe; requiring, by a certain date, local governments to use the vacation rental information system to provide such notice to the division; providing that vacation rental operators may appeal a denial, suspension, or revocation of, or a refusal to renew, the registration of a vacation rental; providing procedures for such appeal; providing construction; amending s. 509.241, F.S.; authorizing the division to issue temporary licenses upon receipt of vacation rental license applications while such applications are pending; providing for permanency of such licenses upon final agency action; requiring that a license issued by the division be conspicuously displayed to the public inside the licensed establishment; requiring that a vacation rental's registration number, if applicable, be conspicuously displayed inside the vacation rental in a specified location; requiring the division to assign a unique identifier on each vacation rental license which identifies each individual vacation rental dwelling or unit; creating s. 509.243, F.S.; requiring advertising platforms to require that persons placing advertisements or listings for vacation rentals include certain information in the advertisements or listings and attest to certain information; requiring advertising platforms to display certain information; requiring, as of a specified date, advertising platforms to remove from public view an advertisement or a listing under certain circumstances and provide certain information to the division; requiring the division, upon request, to share certain reports and records with the Department of Revenue, local tax authorities, and local governments; providing that such records may be used for auditing and enforcement purposes; requiring advertising platforms or operators listing a vacation rental with an advertising platform to collect and remit specified taxes for certain transactions; authorizing the division to issue and deliver a notice to cease and desist for certain violations; providing that such notice does not constitute agency action for which certain hearings may be sought; authorizing the division to issue cease and desist notices in certain circumstances; providing that issuance of such notice does not constitute an agency action; authorizing the division to file certain proceedings for the purpose of enforcing a cease and desist notice; authorizing the division to collect attorney fees and costs under certain circumstances; authorizing the division to impose a fine on advertising platforms for certain violations; requiring the division to issue written notice of violations to advertising platforms before commencing certain legal proceedings; requiring advertising platforms to adopt an antidiscrimination policy and to inform their users of the policy's provisions; providing construction; creating s. 509.244, F.S.; defining the term "application program interface"; requiring the division, by a specified date, to create and maintain a certain vacation rental information system; specifying requirements for the system; amending s. 509.261, F.S.; authorizing the division to revoke, refuse to issue or renew, or suspend vacation rental licenses under certain circumstances; requiring the division to specify the number of the license number of the vacation rental dwelling or unit which has been revoked, not renewed, or suspended; requiring the division to input such status in the vacation rental information system; requiring that the division's vacation rental license suspension run concurrently with a local vacation rental registration suspension; amending ss. 159.27, 212.08, 316.1955, 404.056, 477.0135, 509.221, 553.5041, 559.955, 561.20, 705.17, 705.185, 717.1355, and 877.24, F.S.; conforming cross-references; providing construction; authorizing the Department of Revenue to adopt emergency rules; providing requirements and an expiration date for the emergency rules; providing for the expiration of such rulemaking authority; providing an appropriation; providing effective dates.

Senator Powell moved the following amendment to **House Amendment 1 (814927)** which failed:

Senate Amendment 1 (177554) to House Amendment 1 (814927)—Delete lines 323-330 and insert:

(d) Subsection (8) does not apply to any law, ordinance, or regulation adopted on or before June 1, 2024.

The vote was:

Yeas—16

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

Nays—24

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

On motion by Senator DiCeglie, the Senate concurred in **House Amendment 1 (814927)**.

CS for SB 280 passed, as amended, was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—23

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

Nays—16

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

Vote after roll call:

Yea—Hooper

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 278, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for SB 278—A bill to be entitled An act relating to estoppel certificates; amending s. 468.4334, F.S.; prohibiting agreements that indemnify a community association manager or community association management firm for errors or omissions relating to the provision or preparation of an estoppel certificate; amending s. 468.436, F.S.; revising acts that constitute grounds for which certain disciplinary actions may be taken to include specified actions relating to estoppel certificates; making technical changes; amending ss. 718.116, 719.108, and 720.30851, F.S.; revising the time in which a community association must provide an estoppel certificate to a requestor; specifying the maximum charges for an estoppel certificate to a specified amount; requiring a community association to annually establish the authority to charge a fee for an estoppel certificate; limiting fees or charges for an estoppel certificate to those specified by law; deleting provisions providing for the adjustment of fees for an estoppel certificate based on changes in an inflation index; providing that the fee for the preparation and delivery of an estoppel certificate be paid from closing or settlement proceeds in certain circumstances; providing an effective date.

House Amendment 1 (470345) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (2) of section 468.436, Florida Statutes, is amended to read:

468.436 Disciplinary proceedings.—

(2) The following acts constitute grounds for which the disciplinary actions in subsection (4) may be taken:

(b)1. Violation of ~~any provision of~~ this part.

2. Violation of any lawful order or rule rendered or adopted by the department or the council.

3. Being convicted of or pleading nolo contendere to a felony in any court in the United States.

4. Obtaining a license or certification or any other order, ruling, or authorization by means of fraud, misrepresentation, or concealment of material facts.

5. Committing acts of gross misconduct or gross negligence in connection with the profession.

6. Contracting, on behalf of an association, with any entity in which the licensee has a financial interest that is not disclosed.

7. Violating any provision of chapter 718, chapter 719, or chapter 720 during the course of performing community association management services pursuant to a contract with a community association as defined in s. 468.431(1).

Section 2. Paragraph (i) of subsection (8) of section 718.116, Florida Statutes, is redesignated as paragraph (k), paragraph (h) is amended, and new paragraphs (i) and (j) are added to that subsection, to read:

718.116 Assessments; liability; lien and priority; interest; collection.—

(8) Within 10 business days after receiving a written or electronic request therefor from a unit owner or the unit owner's designee, or a unit mortgagee or the unit mortgagee's designee, the association shall issue the estoppel certificate. Each association shall designate on its website a person or entity with a street or e-mail address for receipt of a request for an estoppel certificate issued pursuant to this section. The estoppel certificate must be provided by hand delivery, regular mail, or e-mail to the requestor on the date of issuance of the estoppel certificate.

(h) The authority to charge a fee for the preparation and delivery of the estoppel certificate must be established *annually* by a written resolution adopted by the board or provided by a written management, bookkeeping, or maintenance contract.

(i) An association may not directly or indirectly charge a fee for an estoppel certificate other than those expressly authorized by this section. Unauthorized fees or charges, whether described as a convenience fee, an archive fee, a service fee, a processing fee, a delivery fee, a credit card fee, a certification fee, a third-party fee, or any other fee or charge, are void and may be ignored by the requestor of the estoppel certificate.

(j) If an estoppel certificate is requested in conjunction with the sale or refinancing of a unit, the fee for the preparation and delivery of the estoppel certificate must be paid to the association from the closing or settlement proceeds within 5 business days after closing. The requestor of the estoppel certificate must provide notice to the person preparing the estoppel certificate of the closing date no later than 3 business days before the closing and, if the closing date changes after such notice is provided, the requestor must provide the person preparing the estoppel certificate with notice of the new closing date within 1 business day after the change occurs. If the closing does not occur, the fee for the preparation and delivery of the estoppel certificate is payable by the unit owner upon the expiration of the 30-day or 35-day effective period of the estoppel certificate. The association may collect the fee in the same manner as an assessment against the unit ~~and is payable upon the preparation of the certificate. If the certificate is requested in conjunction with the sale or mortgage of a unit but the closing does not occur and no later than 30 days after the closing date for which the certificate was sought the preparer receives a written request, accompanied by reasonable documentation, that the sale did not occur from a payor that is not the unit owner, the fee shall be refunded to that payor within 30 days after receipt of the request. The refund is the obligation of the unit owner, and the association may collect it from that owner in the same manner as an assessment as provided in this section. The right to reimbursement may not be waived or modified by any contract or agreement. The prevailing party in any action brought to enforce a right of reimbursement shall be awarded damages and all applicable attorney fees and costs~~.

Section 3. Paragraph (i) of subsection (6) of section 719.108, Florida Statutes, is redesignated as paragraph (k), paragraph (h) is amended, and new paragraphs (i) and (j) are added to that subsection, to read:

719.108 Rents and assessments; liability; lien and priority; interest; collection; cooperative ownership.—

(6) Within 10 business days after receiving a written or electronic request for an estoppel certificate from a unit owner or the unit owner's designee, or a unit mortgagee or the unit mortgagee's designee, the association shall issue the estoppel certificate. Each association shall designate on its website a person or entity with a street or e-mail address for receipt of a request for an estoppel certificate issued pursuant to this section. The estoppel certificate must be provided by hand delivery, regular mail, or e-mail to the requestor on the date of issuance of the estoppel certificate.

(h) The authority to charge a fee for the preparation and delivery of the estoppel certificate must be established *annually* by a written resolution adopted by the board or provided by a written management, bookkeeping, or maintenance contract.

(i) An association may not directly or indirectly charge a fee for an estoppel certificate other than those expressly authorized by this section. Unauthorized fees or charges, whether described as a convenience fee, an archive fee, a service fee, a processing fee, a delivery fee, a credit card fee, a certification fee, a third-party fee, or any other fee or charge, are void and may be ignored by the requestor of the estoppel certificate.

(j) If an estoppel certificate is requested in conjunction with the sale or refinancing of a unit, the fee for the preparation and delivery of the estoppel certificate must be paid to the association from the closing or settlement proceeds within 5 business days after closing. The requestor of the estoppel certificate must provide notice to the person preparing the estoppel certificate of the closing date no later than 3 business days before the closing and, if the closing date changes after such notice is provided, the requestor must provide the person preparing the estoppel certificate with notice of the new closing date within 1 business day after the change occurs. If the closing does not occur, the fee for the preparation and delivery of the estoppel certificate is payable by the unit owner upon the expiration of the 30-day or 35-day effective period of the estoppel certificate. The association may collect the fee in the same manner as an assessment against the unit ~~and is payable upon the preparation of the certificate. If the certificate is requested in conjunction with the sale or mortgage of a parcel but the closing does not occur and no later than 30 days after the closing date for which the certificate was sought the preparer receives a written request, accompanied by reasonable documentation, that the sale did not occur from a payor that is not the parcel owner, the fee shall be refunded to that payor within 30 days after receipt of the request. The refund is the obligation of the parcel owner, and the association may collect it from that owner in the same manner as an assessment as provided in this section. The right to reimbursement may not be waived or modified by any contract or agreement. The prevailing party in any action brought to enforce a right of reimbursement shall be awarded damages and all applicable attorney fees and costs~~.

Section 4. Subsection (9) of section 720.30851, Florida Statutes, is renumbered as subsection (11), subsection (8) is amended, and new subsections (9) and (10) are added to that section, to read:

720.30851 Estoppel certificates.—Within 10 business days after receiving a written or electronic request for an estoppel certificate from a parcel owner or the parcel owner's designee, or a parcel mortgagee or the parcel mortgagee's designee, the association shall issue the estoppel certificate. Each association shall designate on its website a person or entity with a street or e-mail address for receipt of a request for an

estoppel certificate issued pursuant to this section. The estoppel certificate must be provided by hand delivery, regular mail, or e-mail to the requestor on the date of issuance of the estoppel certificate.

(8) The authority to charge a fee for the preparation and delivery of the estoppel certificate must be established *annually* by a written resolution adopted by the board or provided by a written management, bookkeeping, or maintenance contract.

(9) An association may not directly or indirectly charge a fee for an estoppel certificate other than those expressly authorized by this section. Unauthorized fees or charges, whether described as a convenience fee, an archive fee, a service fee, a processing fee, a delivery fee, a credit card fee, a certification fee, a third-party fee, or any other fee or charge, are void and may be ignored by the requestor of the estoppel certificate.

(10) If an estoppel certificate is requested in conjunction with the sale or refinancing of a parcel, the fee for the preparation and delivery of the estoppel certificate must be paid to the association from the closing or settlement proceeds within 5 business days after closing. The requestor of the estoppel certificate must provide notice to the person preparing the estoppel certificate of the closing date no later than 3 business days before the closing and, if the closing date changes after such notice is provided, the requestor must provide the person preparing the estoppel certificate with notice of the new closing date within 1 business day after the change occurs. If the closing does not occur, the fee for the preparation and delivery of the estoppel certificate is payable by the parcel owner upon the expiration of the 30-day or 35-day effective period of the estoppel certificate. The association may collect the fee in the same manner as an assessment against the parcel ~~and is payable upon the preparation of the certificate. If the certificate is requested in conjunction with the sale or mortgage of a parcel but the closing does not occur and no later than 30 days after the closing date for which the certificate was sought the preparer receives a written request, accompanied by reasonable documentation, that the sale did not occur from a payor that is not the parcel owner, the fee shall be refunded to that payor within 30 days after receipt of the request. The refund is the obligation of the parcel owner, and the association may collect it from that owner in the same manner as an assessment as provided in this section. The right to reimbursement may not be waived or modified by any contract or agreement. The prevailing party in any action brought to enforce a right of reimbursement shall be awarded damages and all applicable attorney fees and costs~~.

Section 5. This act shall take effect October 1, 2024.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to estoppel certificates; amending s. 468.436, F.S.; making a technical change; amending ss. 718.116, 719.108, and 720.30851, F.S.; requiring a community association to annually establish the authority to charge a fee for the preparation and delivery of an estoppel certificate; prohibiting a community association from directly or indirectly charging fees that are not authorized by law for an estoppel certificate; requiring that the fee for the preparation and delivery of an estoppel certificate be paid from closing or settlement proceeds in certain circumstances; requiring a person requesting an estoppel certificate to provide certain notice to the person preparing the estoppel certificate within a specified time period; providing an alternative method for paying the fee for the preparation and delivery of an estoppel certificate; authorizing a community association to collect the fee in a specified manner; providing an effective date.

On motion by Senator Martin, the Senate refused to concur in **House Amendment 1 (470345)** to **CS for SB 278** and the House was requested to recede. The action of the Senate was certified to the House.

By direction of the President, there being no objection, the Senate reverted to—

BILLS ON THIRD READING

On motion by Senator Grall, by unanimous consent—

HB 931—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 and charter schools to publish specified information under certain circumstances; amending s. 1012.465, F.S.; providing background screening requirements for volunteer school chaplains; providing an effective date.

—was taken up out of order and read the third time by title.

SENATOR PERRY PRESIDING

THE PRESIDENT PRESIDING

On motion by Senator Grall, **HB 931** was passed and certified to the House. The vote on passage was:

Yeas—28

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

Nays—12

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

By direction of the President, there being no objection, the Senate proceeded to—

SPECIAL ORDER CALENDAR, continued

On motion by Senator Martin, by unanimous consent—

CS for CS for HB 1181—A bill to be entitled An act relating to juvenile justice; amending s. 790.115, F.S.; removing a provision requiring specified treatment of minors charged with possessing or discharging a firearm on school property; amending s. 790.22, F.S.; revising penalties for minors committing specified firearms violations; removing provisions concerning minors charged with or convicted of certain firearms offenses; amending s. 985.101, F.S.; conforming provisions to changes made by the act; amending s. 985.12, F.S.; redesignating civil citation programs as prearrest delinquency citation programs; revising program requirements; providing that certain existing programs meeting certain requirements shall be deemed authorized; amending s. 985.125, F.S.; conforming provisions to changes made by the act; amending s. 985.126, F.S.; requiring the Department of Juvenile Justice to publish a quarterly report concerning entities using delinquency citations for less than a specified amount of eligible offenses; amending s. 985.245, F.S.; conforming provisions to changes made by the act; amending s. 985.25, F.S.; requiring that youths who are arrested for certain electronic monitoring violations be placed in secure detention until a detention hearing; requiring that a child on probation for an underlying felony firearm offense who is taken into custody be placed in secure detention; providing for renewal of secure detention periods in certain circumstances; amending s. 985.255, F.S.; providing that when there is probable cause that a child committed one of a specified list of offenses that he or she is presumed to be a risk to public safety and danger to the community and must be held in secure a detention before an adjudicatory hearing; providing requirements for release of such a child despite the presumption; revising language concerning the use of risk assessments; amending s. 985.26, F.S.; re-

vising requirements for holding a child in secure detention for more than 21 days; amending s. 985.433, F.S.; requiring conditional release conditions for children released after confinement for specified firearms offenses; requiring specified sanctions for certain children adjudicated for certain firearms offenses who are not committed to a residential program; providing that children who previously have had adjudication withheld for certain offenses my not have adjudication withheld for specified offenses; amending s. 985.435, F.S.; conforming provisions to changes made by the act; creating s. 985.438, F.S.; requiring the Department of Juvenile Justice to create and administer a graduated response matrix to hold youths accountable to the terms of their court ordered probation and the terms of their conditional release; providing requirements for the matrix; amending s. 985.439, F.S.; requiring a state attorney to file a probation violation within a specified period or inform the court and the Department of Juvenile Justice why such violation is not filed; removing provisions concerning an alternative consequence program; allowing placement of electronic monitoring for probation violations in certain circumstances; amending s. 985.455, F.S.; authorizing a court to make an exception to an order of revocation or suspension of driving privileges in certain circumstances; amending s. 985.46, F.S.; revising legislative intent concerning conditional release; revising the conditions of conditional release; providing for assessment of conditional release violations and possible recommitment of violators; amending ss. 985.48 and 985.4815, F.S.; conforming provisions to changes made by the act; amending s. 985.601, F.S.; requiring the Department of Juvenile Justice to establish a specified class for firearms offenders; amending s. 985.711, F.S.; revising provisions concerning introduction of contraband into department facilities; authorizing department staff to use canine units on the grounds of juvenile detention facilities and commitment programs for specified purposes; revising criminal penalties for violations; amending s. 1002.221, F.S.; revising provisions concerning educational records for certain purposes; amending ss. 943.051, 985.11, and 1006.07, F.S.; conforming provisions to changes made by the act; providing an effective date.

—which was previously considered March 5 with pending **Amendment 1 (374600)** by Senator Rouson, was taken up out of order.

Senator Rouson moved the following substitute amendment:

Substitute Amendment 2 (905978) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (4) of section 790.115, Florida Statutes, is amended to read:

790.115 Possessing or discharging weapons or firearms at a school-sponsored event or on school property prohibited; penalties; exceptions.—

~~(4) Notwithstanding s. 985.24, s. 985.245, or s. 985.25(1), any minor under 18 years of age who is charged under this section with possessing or discharging a firearm on school property shall be detained in secure detention, unless the state attorney authorizes the release of the minor, and shall be given a probable cause hearing within 24 hours after being taken into custody. At the hearing, the court may order that the minor continue to be held in secure detention for a period of 21 days, during which time the minor shall receive medical, psychiatric, psychological, or substance abuse examinations pursuant to s. 985.18, and a written report shall be completed.~~

Section 2. Subsections (1), (5), (8), (9), and (10) of section 790.22, Florida Statutes, are amended, and subsection (3) of that section is republished, to read:

790.22 Use of BB guns, air or gas-operated guns, or electric weapons or devices by minor under 16; limitation; possession of firearms by minor under 18 prohibited; penalties.—

(1) The use for any purpose whatsoever of BB guns, air or gas-operated guns, or electric weapons or devices, by any minor under the age of 16 years is prohibited unless such use is under the supervision and in the presence of an adult who is acting with the consent of the minor's parent *or guardian*.

(3) A minor under 18 years of age may not possess a firearm, other than an unloaded firearm at his or her home, unless:

(a) The minor is engaged in a lawful hunting activity and is:

1. At least 16 years of age; or

2. Under 16 years of age and supervised by an adult.

(b) The minor is engaged in a lawful marksmanship competition or practice or other lawful recreational shooting activity and is:

1. At least 16 years of age; or

2. Under 16 years of age and supervised by an adult who is acting with the consent of the minor's parent or guardian.

(c) The firearm is unloaded and is being transported by the minor directly to or from an event authorized in paragraph (a) or paragraph (b).

(5)(a) A minor who violates subsection (3)*:*

1. For a first offense, commits a misdemeanor of the first degree~~; for a first offense~~, *shall* ~~may~~ serve a period of detention of up to 5 days in a secure detention facility*, with credit for time served in secure detention prior to disposition, and*~~; and, in addition to any other penalty provided by law,~~ shall be required to perform 100 hours of community service *or paid work as determined by the department.*~~; and:~~

~~1. If the minor is eligible by reason of age for a driver license or driving privilege, the court may direct the Department of Highway Safety and Motor Vehicles to revoke or to withhold issuance of the minor's driver license or driving privilege for up to 1 year.~~

~~2. If the minor's driver license or driving privilege is under suspension or revocation for any reason, the court may direct the Department of Highway Safety and Motor Vehicles to extend the period of suspension or revocation by an additional period of up to 1 year.~~

~~3. If the minor is ineligible by reason of age for a driver license or driving privilege, the court may direct the Department of Highway Safety and Motor Vehicles to withhold issuance of the minor's driver license or driving privilege for up to 1 year after the date on which the minor would otherwise have become eligible.~~

2.~~(b)~~ For a second or subsequent offense, ~~a minor who violates subsection (3)~~ commits a felony of the third degree*. For a second offense, the minor* ~~and~~ shall serve a period of detention of up to 21 days in a secure detention facility*, with credit for time served in secure detention prior to disposition,* and shall be required to perform not less than 100 nor more than 250 hours of community service *or paid work as determined by the department. For a third or subsequent offense, the minor shall be adjudicated delinquent and committed to a residential program.*~~, and:~~

(b) In addition to the penalties for a violation of subsection (3):

1. If the minor is eligible by reason of age for a driver license or driving privilege, the court may direct the Department of Highway Safety and Motor Vehicles to revoke or to withhold issuance of the minor's driver license or driving privilege for up to *1 year for a first offense and up to* 2 years *for a second or subsequent offense*.

2. If the minor's driver license or driving privilege is under suspension or revocation for any reason, the court may direct the Department of Highway Safety and Motor Vehicles to extend the period of suspension or revocation by an additional period of up to *1 year for a first offense and up to* 2 years *for a second or subsequent offense*.

3. If the minor is ineligible by reason of age for a driver license or driving privilege, the court may direct the Department of Highway Safety and Motor Vehicles to withhold issuance of the minor's driver license or driving privilege for up to *1 year* ~~2 years~~ after the date on which the minor would otherwise have become eligible *and up to 2 years for a second or subsequent offense*.

For the purposes of this subsection, community service shall be performed, if possible, in a manner involving a hospital emergency room or other medical environment that deals on a regular basis with trauma patients and gunshot wounds.

~~(8) Notwithstanding s. 985.24 or s. 985.25(1), if a minor is charged with an offense that involves the use or possession of a firearm, including a violation of subsection (3), or is charged for any offense during the commission of which the minor possessed a firearm, the minor shall be detained in secure detention, unless the state attorney authorizes the release of the minor, and shall be given a hearing within 24 hours after being taken into custody. At the hearing, the court may order that the minor continue to be held in secure detention in accordance with the applicable time periods specified in s. 985.26(1) (5), if the court finds that the minor meets the criteria specified in s. 985.255, or if the court finds by clear and convincing evidence that the minor is a clear and present danger to himself or herself or the community. The Department of Juvenile Justice shall prepare a form for all minors charged under this subsection which states the period of detention and the relevant demographic information, including, but not limited to, the gender, age, and race of the minor; whether or not the minor was represented by private counsel or a public defender; the current offense; and the minor's complete prior record, including any pending cases. The form shall be provided to the judge for determining whether the minor should be continued in secure detention under this subsection. An order placing a minor in secure detention because the minor is a clear and present danger to himself or herself or the community must be in writing, must specify the need for detention and the benefits derived by the minor or the community by placing the minor in secure detention, and must include a copy of the form provided by the department.~~

~~(9) Notwithstanding s. 985.245, if the minor is found to have committed an offense that involves the use or possession of a firearm, as defined in s. 790.001, other than a violation of subsection (3), or an offense during the commission of which the minor possessed a firearm, and the minor is not committed to a residential commitment program of the Department of Juvenile Justice, in addition to any other punishment provided by law, the court shall order:~~

~~(a) For a first offense, that the minor shall serve a minimum period of detention of 15 days in a secure detention facility; and~~

~~1. Perform 100 hours of community service; and may~~

~~2. Be placed on community control or in a nonresidential commitment program.~~

~~(b) For a second or subsequent offense, that the minor shall serve a mandatory period of detention of at least 21 days in a secure detention facility; and~~

~~1. Perform not less than 100 nor more than 250 hours of community service; and may~~

~~2. Be placed on community control or in a nonresidential commitment program.~~

~~The minor shall not receive credit for time served before adjudication. For the purposes of this subsection, community service shall be performed, if possible, in a manner involving a hospital emergency room or other medical environment that deals on a regular basis with trauma patients and gunshot wounds.~~

~~(10) If a minor is found to have committed an offense under subsection (9), the court shall impose the following penalties in addition to any penalty imposed under paragraph (9)(a) or paragraph (9)(b):~~

~~(a) For a first offense:~~

~~1. If the minor is eligible by reason of age for a driver license or driving privilege, the court may direct the Department of Highway Safety and Motor Vehicles to revoke or to withhold issuance of the minor's driver license or driving privilege for up to 1 year.~~

~~2. If the minor's driver license or driving privilege is under suspension or revocation for any reason, the court may direct the Department of Highway Safety and Motor Vehicles to extend the period of suspension or revocation by an additional period for up to 1 year.~~

~~3. If the minor is ineligible by reason of age for a driver license or driving privilege, the court may direct the Department of Highway Safety and Motor Vehicles to withhold issuance of the minor's driver license or driving privilege for up to 1 year after the date on which the minor would otherwise have become eligible.~~

~~(b) For a second or subsequent offense:~~

~~1. If the minor is eligible by reason of age for a driver license or driving privilege, the court may direct the Department of Highway Safety and Motor Vehicles to revoke or to withhold issuance of the minor's driver license or driving privilege for up to 2 years.~~

~~2. If the minor's driver license or driving privilege is under suspension or revocation for any reason, the court may direct the Department of Highway Safety and Motor Vehicles to extend the period of suspension or revocation by an additional period for up to 2 years.~~

~~3. If the minor is ineligible by reason of age for a driver license or driving privilege, the court may direct the Department of Highway Safety and Motor Vehicles to withhold issuance of the minor's driver license or driving privilege for up to 2 years after the date on which the minor would otherwise have become eligible.~~

Section 3. Subsection (9) of section 901.15, Florida Statutes, is amended to read:

901.15 When arrest by officer without warrant is lawful.—A law enforcement officer may arrest a person without a warrant when:

(9) There is probable cause to believe that the person has committed:

(a) Any battery upon another person, as defined in s. 784.03.

(b) An act of criminal mischief or a graffiti-related offense as described in s. 806.13.

(c) A violation of a safety zone, security zone, regulated navigation area, or naval vessel protection zone as described in s. 327.461.

(d) A racing, street takeover, or stunt driving violation as described in s. 316.191(2).

(e) An exposure of sexual organs in violation of s. 800.03.

(f) Possession of a firearm by a minor in violation of s. 790.22(3).

Section 4. Paragraph (d) of subsection (1) of section 985.101, Florida Statutes, is amended to read:

985.101 Taking a child into custody.—

(1) A child may be taken into custody under the following circumstances:

(d) By a law enforcement officer who has probable cause to believe that the child is in violation of the conditions of the child's probation, supervised release detention, ~~postcommitment probation,~~ or conditional release supervision; has absconded from nonresidential commitment; or has escaped from residential commitment.

Nothing in this subsection shall be construed to allow the detention of a child who does not meet the detention criteria in part V.

Section 5. Section 985.12, Florida Statutes, is amended to read:

985.12 *Prearrest delinquency* ~~Civil~~ citation ~~or similar prearrest diversion~~ programs.—

(1) LEGISLATIVE FINDINGS AND INTENT.—The Legislature finds that the creation and implementation of *any prearrest delinquency* ~~civil~~ citation ~~or similar prearrest diversion~~ programs at the judicial circuit level promotes public safety, aids interagency cooperation, and provides the greatest chance of success for *prearrest delinquency* ~~civil~~ citation a~~nd similar prearrest diversion~~ programs. The Legislature further finds that the widespread use of *prearrest delinquency* ~~civil~~ citation ~~and similar prearrest diversion~~ programs has a positive effect on the criminal justice system *by immediately holding youth accountable for their actions* and contributes to an overall reduction in the crime rate and recidivism in the state. The Legislature encourages but does not mandate that counties, municipalities, and public or private educational institutions participate in a *prearrest delinquency* ~~civil~~ citation ~~or similar prearrest diversion~~ program created by their judicial circuit under this section.

(2) JUDICIAL CIRCUIT *DELINQUENCY* ~~CIVIL~~ CITATION ~~OR SIMILAR PREARREST DIVERSION~~ PROGRAM DEVELOPMENT, IMPLEMENTATION, AND OPERATION.—

(a) A *prearrest delinquency* ~~civil~~ citation ~~or similar prearrest diversion~~ program for misdemeanor offenses shall be established in each judicial circuit in the state. The state attorney and public defender of each circuit, the clerk of the court for each county in the circuit, and representatives of participating law enforcement agencies in the circuit shall create a *prearrest delinquency* ~~civil~~ citation ~~or similar prearrest diversion~~ program and develop its policies and procedures. In developing the program's policies and procedures, input from other interested stakeholders may be solicited. The department shall annually develop and provide guidelines on best practice models for *prearrest delinquency* ~~civil~~ citation ~~or similar prearrest diversion~~ programs to the judicial circuits as a resource.

(b) Each judicial circuit's *prearrest delinquency* ~~civil~~ citation ~~or similar prearrest diversion~~ program must specify *all of the following*:

1. The misdemeanor offenses that qualify a juvenile for participation in the program*. Offenses involving the use or possession of a firearm do not qualify for a prearrest delinquency citation program.*~~;~~

2. The eligibility criteria for the program.~~;~~

3. The program's implementation and operation.~~;~~

4. The program's requirements, including, but not limited to, the completion of community service hours, payment of restitution, if applicable*, classes established by the department or the prearrest delinquency citation program*, and intervention services indicated by a needs assessment of the juvenile, approved by the department, such as family counseling, urinalysis monitoring, and substance abuse and mental health treatment services.~~; and~~

5. A program fee, if any, to be paid by a juvenile participating in the program. If the program imposes a fee, the clerk of the court of the applicable county must receive a reasonable portion of the fee.

(c) The state attorney of each circuit shall operate a *prearrest delinquency* ~~civil~~ citation ~~or similar prearrest diversion~~ program in each circuit. A sheriff, police department, county, municipality, locally authorized entity, or public or private educational institution may ~~continue to~~ operate an independent *prearrest delinquency* ~~civil~~ citation ~~or similar prearrest diversion~~ program ~~that is in operation as of October 1, 2018,~~ if the independent program is reviewed by the state attorney of the applicable circuit and he or she determines that the independent program is substantially similar to the *prearrest delinquency* ~~civil~~ citation ~~or similar prearrest diversion~~ program developed by the circuit. If the state attorney determines that the independent program is not substantially similar to the *prearrest delinquency* ~~civil~~ citation ~~or similar prearrest diversion~~ program developed by the circuit, the operator of the independent ~~diversion~~ program may revise the program and the state attorney may conduct an additional review of the independent program. *A civil citation or similar prearrest diversion program existing before July 1, 2024, shall be deemed a delinquency citation program authorized by this section if the civil citation or similar prearrest diversion program has been approved by the state attorney of the circuit in which it operates and it complies with the requirements in paragraph (2)(b).*

~~(d) A judicial circuit may model an existing sheriff's, police department's, county's, municipality's, locally authorized entity's, or public or private educational institution's independent civil citation or similar prearrest diversion program in developing the civil citation or similar prearrest diversion program for the circuit.~~

(d)~~(e)~~ If a juvenile does not successfully complete the *prearrest delinquency* ~~civil~~ citation ~~or similar prearrest diversion~~ program, the arresting law enforcement officer shall determine if there is good cause to arrest the juvenile for the original misdemeanor offense and refer the case to the state attorney to determine if prosecution is appropriate or allow the juvenile to continue in the program.

(e)~~(f)~~ Each *prearrest delinquency* ~~civil~~ citation ~~or similar prearrest diversion~~ program shall enter the appropriate youth data into the Juvenile Justice Information System Prevention Web within 7 days after the admission of the youth into the program.

(f)~~(g)~~ At the conclusion of a juvenile's *prearrest delinquency* ~~civil~~ citation ~~or similar prearrest diversion~~ program, the state attorney or operator of the independent program shall report the outcome to the department. The issuance of a *prearrest delinquency* ~~civil~~ citation ~~or similar prearrest diversion~~ program notice is not considered a referral to the department.

(g)~~(h)~~ Upon issuing a *prearrest delinquency* ~~civil~~ citation ~~or similar prearrest diversion~~ program notice, the law enforcement officer shall send a copy of the *prearrest delinquency* ~~civil~~ citation ~~or similar prearrest diversion~~ program notice to the parent or guardian of the child and to the victim.

Section 6. Section 985.125, Florida Statutes, is amended to read:

985.125 ~~Prearrest or~~ Postarrest diversion programs.—

(1) A law enforcement agency ~~or school district~~, in cooperation with the state attorney, may establish a ~~prearrest or~~ postarrest diversion program.

(2) As part of the ~~prearrest or~~ postarrest diversion program, a child who is alleged to have committed a delinquent act may be required to surrender his or her driver license, or refrain from applying for a driver license, for not more than 90 days. If the child fails to comply with the requirements of the program, the state attorney may notify the Department of Highway Safety and Motor Vehicles in writing to suspend the child's driver license for a period that may not exceed 90 days.

Section 7. Subsections (5) and (6) of section 985.126, Florida Statutes, are renumbered as subsections (6) and (7), respectively, subsections (3) and (4) of that section are amended, and a new subsection (5) is added to that section, to read:

985.126 *Prearrest and postarrest* diversion programs; data collection; denial of participation or expunged record.—

(3)(a) ~~Beginning October 1, 2018,~~ Each diversion program shall submit data to the department which identifies for each minor participating in the diversion program:

1. The race, ethnicity, gender, and age of that minor.

2. The offense committed, including the specific law establishing the offense.

3. The judicial circuit and county in which the offense was committed and the law enforcement agency that had contact with the minor for the offense.

4. Other demographic information necessary to properly register a case into the Juvenile Justice Information System Prevention Web, as specified by the department.

(b) ~~Beginning October 1, 2018,~~ Each law enforcement agency shall submit to the department data *for every minor charged for the first-time, who is charged with a misdemeanor, and who was* ~~that identifies for each minor who was eligible for a diversion program, but was instead~~ referred to the department, provided a notice to appear, or arrested:

1. The data required pursuant to paragraph (a).

2. Whether the minor was offered the opportunity to participate in a diversion program. If the minor was:

a. Not offered such opportunity, the reason such offer was not made.

b. Offered such opportunity, whether the minor or his or her parent or legal guardian declined to participate in the diversion program.

(c) The data required pursuant to paragraph (a) shall be entered into the Juvenile Justice Information System Prevention Web within 7 days after the youth's admission into the program.

(d) The data required pursuant to paragraph (b) shall be submitted on or with the arrest affidavit or notice to appear.

(4) ~~Beginning January 1, 2019,~~ The department shall compile and semiannually publish the data required by subsection (3) on the department's website in a format that is, at a minimum, sortable by judicial circuit, county, law enforcement agency, race, ethnicity, gender, age, and offense committed.

(5) The department shall provide a quarterly report to be published on its website and distributed to the Governor, President of the Senate, and Speaker of the House of Representatives listing the entities that use prearrest delinquency citations for less than 70 percent of first-time misdemeanor offenses.

Section 8. Subsection (4) of section 985.245, Florida Statutes, is amended to read:

985.245 Risk assessment instrument.—

(4) For a child who is under the supervision of the department through probation, supervised release detention, conditional release, ~~postcommitment probation,~~ or commitment and who is charged with committing a new offense, the risk assessment instrument may be completed and scored based on the underlying charge for which the child was placed under the supervision of the department.

Section 9. Subsection (1) of section 985.25, Florida Statutes, is amended to read:

985.25 Detention intake.—

(1) The department shall receive custody of a child who has been taken into custody from the law enforcement agency or court and shall review the facts in the law enforcement report or probable cause affidavit and make such further inquiry as may be necessary to determine whether detention care is appropriate.

(a) During the period of time from the taking of the child into custody to the date of the detention hearing, the initial decision as to the child's placement into detention care shall be made by the department under ss. 985.24 and 985.245(1).

(b) The department shall base the decision whether to place the child into detention care on an assessment of risk in accordance with the risk assessment instrument and procedures developed by the department under s. 985.245, except that a child shall be placed in secure detention care until the child's detention hearing if the child meets the criteria specified in s. 985.255(1)(f)~~, is charged with possessing or discharging a firearm on school property in violation of s. 790.115,~~ or is charged with any other offense involving the possession or use of a firearm.

(c) If the final score on the child's risk assessment instrument indicates detention care is appropriate, but the department otherwise determines the child should be released, the department shall contact the state attorney, who may authorize release.

(d) If the final score on the risk assessment instrument indicates detention is not appropriate, the child may be released by the department in accordance with ss. 985.115 and 985.13.

(e) Notwithstanding any other provision of law, a child who is arrested for violating the terms of his or her electronic monitoring supervision or his or her supervised release shall be placed in secure detention until his or her detention hearing.

(f) Notwithstanding any other provision of law, a child on probation for an underlying felony firearm offense in chapter 790 and who is taken into custody under s. 985.101 for violating conditions of probation not involving a new law violation shall be held in secure detention to allow the state attorney to review the violation. If, within 21 days, the state attorney notifies the court that commitment will be sought, then the child shall remain in secure detention pending proceedings under s. 985.439 until the initial 21-day period of secure detention has expired. Upon motion of the state attorney, the child may be held for an additional 21-day period if the court finds that the totality of the circumstances, including the preservation of public safety, warrants such extension. Any release from secure detention shall result in the child being held on supervised release with electronic monitoring pending proceedings under s. 985.439.

Under no circumstances shall the department or the state attorney or law enforcement officer authorize the detention of any child in a jail or other facility intended or used for the detention of adults, without an order of the court.

Section 10. Paragraph (a) of subsection (1) and subsection (3) of section 985.255, Florida Statutes, are amended, and paragraphs (g) and (h) are added to subsection (1) of that section, to read:

985.255 Detention criteria; detention hearing.—

(1) Subject to s. 985.25(1), a child taken into custody and placed into detention care shall be given a hearing within 24 hours after being taken into custody. At the hearing, the court may order a continued detention status if:

(a) The result of the risk assessment instrument pursuant to s. 985.245 indicates secure or supervised release detention *or the court makes the findings required under paragraph (3)(b)*.

(g) The court finds probable cause at the detention hearing that the child committed one or more of the following offenses:

1. Murder in the first degree under s. 782.04(1)(a).

2. Murder in the second degree under s. 782.04(2).

3. Armed robbery under s. 812.13(2)(a) that involves the use or possession of a firearm as defined in s. 790.001.

4. Armed carjacking under s. 812.133(2)(a) that involves the use or possession of a firearm as defined in s. 790.001.

5. Having a firearm while committing a felony under s. 790.07(2).

6. Armed burglary under s. 810.02(2)(b) that involves the use or possession of a firearm as defined in s. 790.001.

7. Delinquent in possession of a firearm under s. 790.23(1)(b).

8. An attempt to commit any offense listed in this paragraph under s. 777.04.

(h) For a child who meets the criteria in paragraph (g):

1. There is a presumption that the child presents a risk to public safety and danger to the community and such child must be held in secure detention prior to an adjudicatory hearing, unless the court enters a written order that the child would not present a risk to public safety or a danger to the community if he or she were placed on supervised release detention care.

2. The written order releasing a child from secure detention must be based on clear and convincing evidence why the child does not present a risk to public safety or a danger to the community and must list the child's prior adjudications, dispositions, and prior violations of pretrial release orders. A court releasing a child from secure detention under this subparagraph shall place the child on supervised release detention care with electronic monitoring until the child's adjudicatory hearing.

3. If an adjudicatory hearing has not taken place after 60 days of secure detention for a child held in secure detention under this paragraph, the court must prioritize the efficient disposition of cases and hold a review hearing within each successive 7-day review period until the adjudicatory hearing or until the child is placed on supervised release with electronic monitoring under subparagraph 2.

4. If the court, under this section, releases a child to supervised release detention care, the court must provide a copy of the written order to the victim, to the law enforcement agency that arrested the child, and to the law enforcement agency with primary jurisdiction over the child's primary residence.

(3)(a) The purpose of the detention hearing required under subsection (1) is to determine the existence of probable cause that the child has committed the delinquent act or violation of law that he or she is charged with and the need for continued detention. The court shall *consider* ~~use~~ the results of the risk assessment performed by the department and, based on the criteria in subsection (1), shall determine

the need for continued detention. If the child is a prolific juvenile offender who is detained under s. 985.26(2)(c), the court shall *consider* ~~use~~ the results of the risk assessment performed by the department and the criteria in subsection (1) or subsection (2) only to determine whether the prolific juvenile offender should be held in secure detention.

(b) ~~If~~ The court *may order* ~~orders~~ a placement more *or less* restrictive than indicated by the results of the risk assessment instrument, *and, if* the court *does so,* shall state, in writing, clear and convincing reasons for such placement.

(c) Except as provided in ~~s. 790.22(8) or~~ s. 985.27, when a child is placed into detention care, or into a respite home or other placement pursuant to a court order following a hearing, the court order must include specific instructions that direct the release of the child from such placement no later than 5 p.m. on the last day of the detention period specified in s. 985.26 or s. 985.27, whichever is applicable, unless the requirements of such applicable provision have been met or an order of continuance has been granted under s. 985.26(4). If the court order does not include a release date, the release date shall be requested from the court on the same date that the child is placed in detention care. If a subsequent hearing is needed to provide additional information to the court for safety planning, the initial order placing the child in detention care shall reflect the next detention review hearing, which shall be held within 3 calendar days after the child's initial detention placement.

Section 11. Paragraph (b) of subsection (2) of section 985.26, Florida Statutes, is amended to read:

985.26 Length of detention.—

(2)

(b) *The court may order the child to be held in secure detention beyond 21 days under the following circumstances:*

1. Upon good cause being shown that the nature of the charge requires additional time for the prosecution or defense of the case or that the totality of the circumstances, including the preservation of public safety, warrants an extension, the court may extend the length of secure detention care for up to an additional 21 days if the child is charged with an offense which, if committed by an adult, would be a capital felony, a life felony, a felony of the first degree or the second degree, a felony of the third degree involving violence against any individual, or any other offense involving the possession or use of a firearm. *Except as otherwise provided in subparagraph 2.,* the court may continue to extend the period of secure detention care in increments of up to 21 days each by conducting a hearing before the expiration of the current period to determine the need for continued secure detention of the child. At the hearing, the court must make the required findings in writing to extend the period of secure detention. If the court extends the time period for secure detention care, it shall ensure an adjudicatory hearing for the case commences as soon as is reasonably possible considering the totality of the circumstances. The court shall prioritize the efficient disposition of cases in which the child has served 60 or more days in secure detention care.

2. When the child is being held in secure detention under s. 985.255(1)(g), and subject to s. 985.255(1)(h).

Section 12. Paragraph (d) is added to subsection (7) of section 985.433, Florida Statutes, and subsections (8) and (9) of that section are amended, to read:

985.433 Disposition hearings in delinquency cases.—When a child has been found to have committed a delinquent act, the following procedures shall be applicable to the disposition of the case:

(7) If the court determines that the child should be adjudicated as having committed a delinquent act and should be committed to the department, such determination shall be in writing or on the record of the hearing. The determination shall include a specific finding of the reasons for the decision to adjudicate and to commit the child to the department, including any determination that the child was a member of a criminal gang.

(d) Any child adjudicated by the court and committed to the department under a restrictiveness level described in s. 985.03(44)(a)–(d), for any offense or attempted offense involving a firearm must be placed on conditional release, as defined in s. 985.03, for a period of 1 year following his or her release from a commitment program. Such term of conditional release shall include electronic monitoring of the child by the department for the initial 6 months following his or her release and at times and under terms and conditions set by the department.

(8) If the court determines not to adjudicate and commit to the department, then the court shall determine what community-based sanctions it will impose in a probation program for the child. Community-based sanctions may include, but are not limited to, participation in substance abuse treatment, a day-treatment probation program, restitution in money or in kind, a curfew, revocation or suspension of the driver license of the child, community service, and appropriate educational programs as determined by the district school board.

(a)1. Where a child is found to have committed an offense that involves the use or possession of a firearm, as defined in s. 790.001, other than a violation of s. 790.22(3), or is found to have committed an offense during the commission of which the child possessed a firearm, and the court has decided not to commit the child to a residential program, the court shall order the child, in addition to any other punishment provided by law, to:

a. Serve a period of detention of 30 days in a secure detention facility, with credit for time served in secure detention prior to disposition.

b. Perform 100 hours of community service or paid work as determined by the department.

c. Be placed on probation for a period of at least 1 year. Such term of probation shall include electronic monitoring of the child by the department at times and under terms and conditions set by the department.

2. In addition to the penalties in subparagraph 1., the court may impose the following restrictions upon the child's driving privileges:

a. If the child is eligible by reason of age for a driver license or driving privilege, the court may direct the Department of Highway Safety and Motor Vehicles to revoke or to withhold issuance of the child's driver license or driving privilege for up to 1 year.

b. If the child's driver license or driving privilege is under suspension or revocation for any reason, the court may direct the Department of Highway Safety and Motor Vehicles to extend the period of suspension or revocation by an additional period for up to 1 year.

c. If the child is ineligible by reason of age for a driver license or driving privilege, the court may direct the Department of Highway Safety and Motor Vehicles to withhold issuance of the minor's driver license or driving privilege for up to 1 year after the date on which the child would otherwise have become eligible.

For the purposes of this paragraph, community service shall be performed, if possible, in a manner involving a hospital emergency room or other medical environment that deals on a regular basis with trauma patients and gunshot wounds.

(b) A child who has previously had adjudication withheld for any of the following offenses shall not be eligible for a second or subsequent withhold of adjudication if he or she is subsequently found to have committed any of the following offenses, and must be adjudicated delinquent and committed to a residential program:

1. Armed robbery involving a firearm under s. 812.13(2)(a).

2. Armed carjacking under s. 812.133(2)(a) involving the use or possession of a firearm as defined in s. 790.001.

3. Having a firearm while committing a felony under s. 790.07(2).

4. Armed burglary under s. 810.02(2)(b) involving the use or possession of a firearm as defined in s. 790.001.

5. Delinquent in possession of a firearm under s. 790.23(1)(b).

6. An attempt to commit any offense listed in this paragraph under s. 777.04.

(9) After appropriate sanctions for the offense are determined, *including any minimum sanctions required by this section,* the court shall develop, approve, and order a plan of probation that will contain rules, requirements, conditions, and rehabilitative programs, including the option of a day-treatment probation program, that are designed to encourage responsible and acceptable behavior and to promote both the rehabilitation of the child and the protection of the community.

Section 13. Subsections (1), (3), and (4) of section 985.435, Florida Statutes, are amended to read:

985.435 Probation ~~and postcommitment probation~~; community service.—

(1) The court that has jurisdiction over an adjudicated delinquent child may, by an order stating the facts upon which a determination of a sanction and rehabilitative program was made at the disposition hearing, place the child in a probation program ~~or a postcommitment probation program~~. Such placement must be under the supervision of an authorized agent of the department or of any other person or agency specifically authorized and appointed by the court, whether in the child's own home, in the home of a relative of the child, or in some other suitable place under such reasonable conditions as the court may direct.

(3) A probation program must also include a rehabilitative program component such as a requirement of participation in substance abuse treatment or in a school or career and technical education program. The nonconsent of the child to treatment in a substance abuse treatment program in no way precludes the court from ordering such treatment. Upon the recommendation of the department at the time of disposition, or subsequent to disposition pursuant to the filing of a petition alleging a violation of the child's conditions of ~~postcommitment~~ probation, the court may order the child to submit to random testing for the purpose of detecting and monitoring the use of alcohol or controlled substances.

(4) A probation program *must* ~~may also~~ include an alternative consequence component to address instances in which a child is noncompliant with technical conditions of his or her probation but has not committed any new violations of law. *The alternative consequence component must be aligned with the department's graduated response matrix as described in s. 985.438* ~~Each judicial circuit shall develop, in consultation with judges, the state attorney, the public defender, the regional counsel, relevant law enforcement agencies, and the department, a written plan specifying the alternative consequence component which must be based upon the principle that sanctions must reflect the seriousness of the violation, the assessed criminogenic needs and risks of the child, the child's age and maturity level, and how effective the sanction or incentive will be in moving the child to compliant behavior. The alternative consequence component is designed to provide swift and appropriate consequences or incentives to a child who is alleged to be noncompliant with or in violation of probation. If the probation program includes this component, specific consequences that apply to noncompliance with specific technical conditions of probation, as well as incentives used to move the child toward compliant behavior, must be detailed in the disposition order~~.

Section 14. Section 985.438, Florida Statutes, is created to read:

985.438 Graduated response matrix.—

(1) The department shall create and administer a statewide plan to hold youths accountable to the terms of their court ordered probation and the terms of their conditional release. The plan must be based upon the principle that sanctions must reflect the seriousness of the violation, provide immediate accountability for violations, the assessed criminogenic needs and risks of the child, and the child's age and maturity level. The plan is designed to provide swift and appropriate consequences or incentives to a child who is alleged to be noncompliant with or in violation of his or her probation.

(2) The graduated response matrix shall outline sanctions for youth based on their risk to reoffend and shall include, but not be limited to:

(a) Increased contacts.

(b) Increased drug tests.

(c) Curfew reductions.

(d) Increased community service.

(e) Additional evaluations.

(f) Addition of electronic monitoring.

(3) The graduated response matrix shall be adopted in rule by the department.

Section 15. Section 985.439, Florida Statutes, is amended to read:

985.439 Violation of probation ~~or postcommitment probation~~.—

(1)(a) This section is applicable when the court has jurisdiction over a child on probation ~~or postcommitment probation~~, regardless of adjudication.

(b) If the conditions of the probation program ~~or the postcommitment probation program~~ are violated, the department or the state attorney may bring the child before the court on a petition alleging a violation of the program. A child who violates the conditions of probation ~~or postcommitment probation~~ must be brought before the court if sanctions are sought.

(c) Upon receiving notice of a violation of probation from the department, the state attorney must file the violation within 5 days or provide in writing to the department and the court the reason as to why he or she is not filing.

(2) A child taken into custody under s. 985.101 for violating the conditions of probation shall be screened and detained or released based on his or her risk assessment instrument score.

(3) If the child denies violating the conditions of probation ~~or postcommitment probation~~, the court shall, upon the child's request, appoint counsel to represent the child.

(4) Upon the child's admission, or if the court finds after a hearing that the child has violated the conditions of probation ~~or postcommitment probation~~, the court shall enter an order revoking, modifying, or continuing probation ~~or postcommitment probation~~. In each such case, the court shall enter a new disposition order and, in addition to the sanctions set forth in this section, may impose any sanction the court could have imposed at the original disposition hearing. If the child is found to have violated the conditions of probation ~~or postcommitment probation~~, the court may:

(a) Place the child in supervised release detention with electronic monitoring.

(b) If the violation of probation is technical in nature and not a new violation of law, place the child in an alternative consequence program designed to provide swift and appropriate consequences to any further violations of probation.

~~1. Alternative consequence programs shall be established, within existing resources, at the local level in coordination with law enforcement agencies, the chief judge of the circuit, the state attorney, and the public defender.~~

~~2. Alternative consequence programs may be operated by an entity such as a law enforcement agency, the department, a juvenile assessment center, a county or municipality, or another entity selected by the department.~~

~~3. Upon placing a child in an alternative consequence program, the court must approve specific consequences for specific violations of the conditions of probation.~~

(c) Modify or continue the child's probation program ~~or postcommitment probation program~~.

(d) Revoke probation ~~or postcommitment probation~~ and commit the child to the department.

(e) Allow the department to place a child on electronic monitoring for a violation of probation if it determines doing so will preserve and protect public safety.

(5) Upon the recommendation of the department at the time of disposition, or subsequent to disposition pursuant to the filing of a petition alleging a violation of the child's conditions of ~~postcommitment~~ probation, the court may order the child to submit to random testing for the purpose of detecting and monitoring the use of alcohol or controlled substances.

Section 16. Subsection (2) of section 985.441, Florida Statutes, is amended to read:

985.441 Commitment.—

(2) Notwithstanding subsection (1), the court having jurisdiction over an adjudicated delinquent child whose offense is a misdemeanor, *other than a violation of s. 790.22(3),* or a child who is currently on probation for a misdemeanor, *other than a violation of s. 790.22(3),* may not commit the child for any misdemeanor offense or any probation violation that is technical in nature and not a new violation of law at a restrictiveness level other than minimum-risk nonresidential. However, the court may commit such child to a nonsecure residential placement if:

(a) The child has previously been adjudicated or had adjudication withheld for a felony offense;

(b) The child has previously been adjudicated or had adjudication withheld for three or more misdemeanor offenses within the previous 18 months;

(c) The child is before the court for disposition for a violation of s. 800.03, s. 806.031, or s. 828.12; or

(d) The court finds by a preponderance of the evidence that the protection of the public requires such placement or that the particular needs of the child would be best served by such placement. Such finding must be in writing.

Section 17. Subsection (5) is added to section 985.455, Florida Statutes, to read:

985.455 Other dispositional issues.—

(5) If the court orders revocation or suspension of a child's driver license as part of a disposition, the court may, upon finding a compelling circumstance to warrant an exception, direct the Department of Highway Safety and Motor Vehicles to issue a license for driving privileges restricted to business or employment purposes only, as defined in s. 322.271.

Section 18. Subsections (2), (3), and (5) of section 985.46, Florida Statutes, are amended, and subsection (6) is added to that section, to read:

985.46 Conditional release.—

(2) It is the intent of the Legislature that:

(a) Commitment programs include rehabilitative efforts on preparing committed juveniles for a successful release to the community.

(b) Conditional release transition planning begins as early in the commitment process as possible.

(c) Each juvenile committed to a residential commitment program *receive conditional release services* ~~be assessed to determine the need for conditional release services~~ upon release from the commitment program *unless the juvenile is directly released by the court*.

(3) For juveniles referred or committed to the department, the function of the department may include, but shall not be limited to, *supervising each juvenile on conditional release when* ~~assessing each juvenile placed in a residential commitment program to determine the need for conditional release services upon release from the program, supervising the juvenile when~~ released into the community from a residential commitment facility of the department, providing such counseling and other services as may be necessary for the families and assisting their preparations for the return of the child. Subject to specific appropriation, the department shall provide for outpatient sexual offender counseling for any juvenile sexual offender released from a residential commitment program as a component of conditional release.

(5) Conditional release supervision shall contain, at a minimum, the following conditions:

(a)~~(5)~~ Participation in the educational program by students of compulsory school attendance age pursuant to s. 1003.21(1) and (2)(a) ~~is mandatory for juvenile justice youth on conditional release or postcommitment probation status~~. A student of noncompulsory school-attendance age who has not received a high school diploma or its equivalent must participate in an educational program or career and technical education course *of study*. A youth who has received a high school diploma or its equivalent and is not employed must participate in workforce development or other career or technical education or attend a community college or a university while in the program~~, subject to available funding~~.

(b) A curfew.

(c) A prohibition on contact with victims, co-defendants, or known gang members.

(d) A prohibition on use of controlled substances.

(e) A prohibition on possession of firearms.

(6) A youth who violates the terms of his or her conditional release shall be assessed using the graduated response matrix as described in s. 985.438. A youth who fails to move into compliance shall be recommitted to a residential facility.

Section 19. Paragraph (c) of subsection (1) of section 985.48, Florida Statutes, is amended to read:

985.48 Juvenile sexual offender commitment programs; sexual abuse intervention networks.—

(1) In order to provide intensive treatment and psychological services to a juvenile sexual offender committed to the department, it is the intent of the Legislature to establish programs and strategies to effectively respond to juvenile sexual offenders. In designing programs for juvenile sexual offenders, it is the further intent of the Legislature to implement strategies that include:

(c) Providing intensive ~~postcommitment~~ supervision of juvenile sexual offenders who are released into the community with terms and conditions which may include electronic monitoring of a juvenile sexual offender for the purpose of enhancing public safety.

Section 20. Paragraph (a) of subsection (6) of section 985.4815, Florida Statutes, is amended to read:

985.4815 Notification to Department of Law Enforcement of information on juvenile sexual offenders.—

(6)(a) The information provided to the Department of Law Enforcement must include the following:

1. The information obtained from the sexual offender under subsection (4).

2. The sexual offender's most current address and place of permanent, temporary, or transient residence within the state or out of state, and address, location or description, and dates of any current or known future temporary residence within the state or out of state, while the sexual offender is in the care or custody or under the jurisdiction or supervision of the department in this state, including the name of the county or municipality in which the offender permanently or temporarily resides, or has a transient residence, and address, location or description, and dates of any current or known future temporary residence within the state or out of state; and, if known, the intended place of permanent, temporary, or transient residence, and address, location or description, and dates of any current or known future temporary residence within the state or out of state upon satisfaction of all sanctions.

3. The legal status of the sexual offender and the scheduled termination date of that legal status.

4. The location of, and local telephone number for, any department office that is responsible for supervising the sexual offender.

5. An indication of whether the victim of the offense that resulted in the offender's status as a sexual offender was a minor.

6. The offense or offenses at adjudication and disposition that resulted in the determination of the offender's status as a sex offender.

7. A digitized photograph of the sexual offender, which must have been taken within 60 days before the offender was released from the custody of the department or a private correctional facility by expiration of sentence under s. 944.275, or within 60 days after the onset of the department's supervision of any sexual offender who is on probation, ~~postcommitment probation,~~ residential commitment, nonresidential commitment, licensed child-caring commitment, community control, conditional release, parole, provisional release, or control release or who is supervised by the department under the Interstate Compact Agreement for Probationers and Parolees. If the sexual offender is in the custody of a private correctional facility, the facility shall take a digitized photograph of the sexual offender within the time period provided in this subparagraph and shall provide the photograph to the department.

Section 21. Subsection (11) of section 985.601, Florida Statutes, is renumbered as subsection (12), and a new subsection (11) is added to that section, to read:

985.601 Administering the juvenile justice continuum.—

(11) The department shall establish a class focused on the risk and consequences of youthful firearm offending which shall be provided by the department to any youth who has been adjudicated or had adjudication withheld for any offense involving the use or possession of a firearm.

Section 22. Section 985.711, Florida Statutes, is amended to read:

985.711 Introduction, removal, or possession of certain articles unlawful; penalty.—

(1)(a) Except as authorized through program policy or operating procedure or as authorized by the facility superintendent, program director, or manager, a person may not introduce into or upon the grounds of a juvenile detention facility or commitment program, or take or send, or attempt to take or send, from a juvenile detention facility or commitment program, any of the following articles, which are declared to be contraband under this section:

1. Any unauthorized article of food or clothing *given or transmitted, or intended to be given or transmitted, to any youth in a juvenile detention facility or commitment program*.

2. Any intoxicating beverage or any beverage that causes or may cause an intoxicating effect.

3. Any controlled substance as defined in s. 893.02(4), marijuana as defined in s. 381.986, hemp as defined in s. 581.217, industrial hemp as defined in s. 1004.4473, or any prescription or nonprescription drug that has a hypnotic, stimulating, or depressing effect.

4. Any firearm or weapon of any kind or any explosive substance.

5. Any cellular telephone or other portable communication device as described in s. 944.47(1)(a)6., intentionally and unlawfully introduced inside the secure perimeter of any juvenile detention facility or commitment program. As used in this subparagraph, the term "portable communication device" does not include any device that has communication capabilities which has been approved or issued by the facility superintendent, program director, or manager.

6. Any vapor-generating electronic device as defined in s. 386.203, intentionally and unlawfully introduced inside the secure perimeter of any juvenile detention facility or commitment program.

7. Any currency or coin given or transmitted, or intended to be given or transmitted, to any youth in any juvenile detention facility or commitment program.

8. Any cigarettes, as defined in s. 210.01(1) or tobacco products, as defined in s. 210.25, given, or intended to be given, to any youth in a juvenile detention facility or commitment program.

(b) A person may not transmit contraband to, cause contraband to be transmitted to or received by, attempt to transmit contraband to, or attempt to cause contraband to be transmitted to or received by, a juvenile offender into or upon the grounds of a juvenile detention facility or commitment program, except as authorized through program policy or operating procedures or as authorized by the facility superintendent, program director, or manager.

(c) A juvenile offender or any person, while upon the grounds of a juvenile detention facility or commitment program, may not be in actual or constructive possession of any article or thing declared to be contraband under this section, except as authorized through program policy or operating procedures or as authorized by the facility superintendent, program director, or manager.

(d) Department staff may use canine units on the grounds of a juvenile detention facility or commitment program to locate and seize contraband and ensure security within such facility or program.

(2)~~(a) Any person who violates this section as it pertains to an article of contraband described in subparagraph (1)(a)1. commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

~~(b) Any person who violates this section as it pertains to an article of contraband described in subparagraph (1)(a)5. or subparagraph (1)(a)6. commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.~~

~~(c) In all other cases,~~ A person who violates this section commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 23. Paragraph (c) of subsection (2) of section 1002.221, Florida Statutes, is amended to read:

1002.221 K-12 education records; public records exemption.—

(2)

(c) In accordance with the FERPA and the federal regulations issued pursuant to the FERPA, an agency or institution, as defined in s. 1002.22, may release a student's education records without written consent of the student or parent to parties to an interagency agreement among the Department of Juvenile Justice, the school, law enforcement authorities, and other signatory agencies. Information provided *pursuant to an interagency agreement may be used for proceedings initiated under chapter 984 or chapter 985* ~~in furtherance of an interagency agreement is intended solely for use in determining the appropriate programs and services for each juvenile or the juvenile's family, or for coordinating the delivery of the programs and services, and as such is inadmissible in any court proceeding before a dispositional hearing unless written consent is provided by a parent or other responsible adult on behalf of the juvenile~~.

Section 24. Paragraph (b) of subsection (3) of section 943.051, Florida Statutes, is amended to read:

943.051 Criminal justice information; collection and storage; fingerprinting.—

(3)

(b) A minor who is charged with or found to have committed the following offenses shall be fingerprinted and the fingerprints shall be submitted electronically to the department, unless the minor is issued a *prearrest delinquency* ~~civil~~ citation pursuant to s. 985.12:

1. Assault, as defined in s. 784.011.

2. Battery, as defined in s. 784.03.

3. Carrying a concealed weapon, as defined in s. 790.01(2).

4. Unlawful use of destructive devices or bombs, as defined in s. 790.1615(1).

5. Neglect of a child, as defined in s. 827.03(1)(e).

6. Assault or battery on a law enforcement officer, a firefighter, or other specified officers, as defined in s. 784.07(2)(a) and (b).

7. Open carrying of a weapon, as defined in s. 790.053.

8. Exposure of sexual organs, as defined in s. 800.03.

9. Unlawful possession of a firearm, as defined in s. 790.22(5).

10. Petit theft, as defined in s. 812.014(3).

11. Cruelty to animals, as defined in s. 828.12(1).

12. Arson, as defined in s. 806.031(1).

13. Unlawful possession or discharge of a weapon or firearm at a school-sponsored event or on school property, as provided in s. 790.115.

Section 25. Paragraph (b) of subsection (1) of section 985.11, Florida Statutes, is amended to read:

985.11 Fingerprinting and photographing.—

(1)

(b) Unless the child is issued a *prearrest delinquency* ~~civil~~ citation ~~or is participating in a similar diversion program~~ pursuant to s. 985.12, a child who is charged with or found to have committed one of the following offenses shall be fingerprinted, and the fingerprints shall be submitted to the Department of Law Enforcement as provided in s. 943.051(3)(b):

1. Assault, as defined in s. 784.011.

2. Battery, as defined in s. 784.03.

3. Carrying a concealed weapon, as defined in s. 790.01(2).

4. Unlawful use of destructive devices or bombs, as defined in s. 790.1615(1).

5. Neglect of a child, as defined in s. 827.03(1)(e).

6. Assault on a law enforcement officer, a firefighter, or other specified officers, as defined in s. 784.07(2)(a).

7. Open carrying of a weapon, as defined in s. 790.053.

8. Exposure of sexual organs, as defined in s. 800.03.

9. Unlawful possession of a firearm, as defined in s. 790.22(5).

10. Petit theft, as defined in s. 812.014.

11. Cruelty to animals, as defined in s. 828.12(1).

12. Arson, resulting in bodily harm to a firefighter, as defined in s. 806.031(1).

13. Unlawful possession or discharge of a weapon or firearm at a school-sponsored event or on school property as defined in s. 790.115.

A law enforcement agency may fingerprint and photograph a child taken into custody upon probable cause that such child has committed any other violation of law, as the agency deems appropriate. Such fingerprint records and photographs shall be retained by the law enforcement agency in a separate file, and these records and all copies thereof must be marked "Juvenile Confidential." These records are not available for public disclosure and inspection under s. 119.07(1) except as provided in ss. 943.053 and 985.04(2), but shall be available to other law enforcement agencies, criminal justice agencies, state attorneys, the courts, the child, the parents or legal custodians of the child, their attorneys, and any other person authorized by the court to have access to such records. In addition, such records may be submitted to the Department of Law Enforcement for inclusion in the state criminal history records and used by criminal justice agencies for criminal justice purposes. These records may, in the discretion of the court, be open to inspection by anyone upon a showing of cause. The fingerprint and photograph records shall be produced in the court whenever directed by the court. Any photograph taken pursuant to this section may be shown by a law enforcement officer to any victim or witness of a crime for the purpose of identifying the person who committed such crime.

Section 26. Paragraph (n) of subsection (2) of section 1006.07, Florida Statutes, is amended to read:

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

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

(n) Criteria for recommending to law enforcement that a student who commits a criminal offense be allowed to participate in a *prearrest delinquency citation* ~~civil citation or similar prearrest diversion~~ program as an alternative to expulsion or arrest. All *prearrest delinquency citation* ~~civil citation or similar prearrest diversion~~ programs must comply with s. 985.12.

Section 27. 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 juvenile justice; amending s. 790.115, F.S.; removing a provision requiring specified treatment of minors charged with possessing or discharging a firearm on school property; amending s. 790.22, F.S.; revising penalties for minors committing specified firearms violations; removing provisions concerning minors charged with or convicted of certain firearms offenses; amending 901.15; adding possession of a firearm by a minor to the list of crimes for which a warrant is not needed for arrest; amending s. 985.101, F.S.; conforming provisions to changes made by the act; amending s. 985.12, F.S.; redesignating civil citation programs as prearrest delinquency citation programs; revising program requirements; providing that certain existing programs meeting certain requirements shall be deemed authorized; amending s. 985.125, F.S.; conforming provisions to changes made by the act; amending s. 985.126, F.S.; requiring the Department of Juvenile Justice to publish a quarterly report concerning entities using delinquency citations for less than a specified amount of eligible offenses; amending s. 985.245, F.S.; conforming provisions to changes made by the act; amending s. 985.25, F.S.; requiring that youths who are arrested for certain electronic monitoring violations be placed in secure detention until a detention hearing; requiring that a child on probation for an underlying felony firearm offense who is taken into custody be placed in secure detention; providing for renewal of secure detention periods in certain circumstances; amending s. 985.255, F.S.; providing that when there is probable cause that a child committed one of a specified list of offenses that he or she is presumed to be a risk to public safety and danger to the community and must be held in secure a detention before an adjudicatory hearing; providing requirements for release of such a child despite the presumption; revising language concerning the use of risk assessments; amending s. 985.26, F.S.; revising requirements for holding a child in secure detention for more than 21 days; amending s. 985.433, F.S.; requiring conditional release conditions for children released after confinement for specified firearms offenses; requiring specified sanctions for certain children adjudicated for certain firearms offenses who are not committed to a residential program; providing that children who previously have had adjudication withheld for certain offenses my not have adjudication withheld for

specified offenses; amending s. 985.435, F.S.; conforming provisions to changes made by the act; creating s. 985.438, F.S.; requiring the Department of Juvenile Justice to create and administer a graduated response matrix to hold youths accountable to the terms of their court ordered probation and the terms of their conditional release; providing requirements for the matrix; amending s. 985.439, F.S.; requiring a state attorney to file a probation violation within a specified period or inform the court and the Department of Juvenile Justice why such violation is not filed; removing provisions concerning an alternative consequence program; allowing placement of electronic monitoring for probation violations in certain circumstances; amending s. 985.441, F.S.; adding an exception to the prohibition against committing certain children to a residential program; amending s. 985.455, F.S.; authorizing a court to make an exception to an order of revocation or suspension of driving privileges in certain circumstances; amending s. 985.46, F.S.; revising legislative intent concerning conditional release; revising the conditions of conditional release; providing for assessment of conditional release violations and possible recommitment of violators; amending ss. 985.48 and 985.4815, F.S.; conforming provisions to changes made by the act; amending s. 985.601, F.S.; requiring the Department of Juvenile Justice to establish a specified class for firearms offenders; amending s. 985.711, F.S.; revising provisions concerning introduction of contraband into department facilities; authorizing department staff to use canine units on the grounds of juvenile detention facilities and commitment programs for specified purposes; revising criminal penalties for violations; amending s. 1002.221, F.S.; revising provisions concerning educational records for certain purposes; amending ss. 943.051, 985.11, and 1006.07, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Senator Martin moved the following amendment to **Substitute Amendment 2 (905978)** which was adopted:

Amendment 2A (673230)—Delete line 82 and insert:
program. A withhold of adjudication of delinquency shall be considered a prior offense for the purpose of determining a second, third, or subsequent offense.~~, and:~~

Substitute Amendment 2 (905978), as amended, was adopted.

On motion by Senator Martin, by two-thirds vote, **CS for CS for HB 1181**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

On motion by Senator Grall—

CS for SB 1784—A bill to be entitled An act relating to mental health and substance abuse; amending s. 394.455, F.S.; conforming a cross-reference to changes made by the act; amending s. 394.4572, F.S.; providing an exception to background screening requirements for certain licensed physicians and nurses; amending s. 394.459, F.S.; specifying a timeframe for recording restrictions in a patient's clinical file; requiring that such recorded restriction be immediately served on certain parties; conforming a provision to changes made by the act; amending s. 394.4598, F.S.; authorizing certain psychiatric nurses to consult with guardian advocates for purposes of obtaining consent for treatment; amending s. 394.4599, F.S.; revising written notice requirements relating to filing petitions for involuntary services; amending s. 394.461, F.S.; authorizing the state to establish that a transfer evaluation was performed by providing the court with a copy of the evaluation before the close of the state's case-in-chief; prohibiting the court from considering substantive information in the transfer evaluation; providing an exception; revising reporting requirements; amending s. 394.4615, F.S.; allowing a patient's legal custodian to authorize release of the patient's clinical records; conforming provisions to changes made by the act; amending s. 394.462, F.S.; authorizing a county to include alternative funding arrangements for transporting individuals to designated receiving facilities in the county's transportation plan; conforming provisions to changes made by the act; amending s. 394.4625, F.S.; revising requirements relating to voluntary admissions to a facility for examination and treatment; requiring certain treating psychiatric nurses to document specified information in a patient's clinical record within a specified timeframe of his or her voluntary admission for mental health treatment; requiring clinical psychologists who make determinations of involuntary placement at certain mental health facilities to have specified clinical experience; authorizing certain psychiatric nurses to order emergency treatment for certain patients; conforming provisions to changes made by the act; amending s. 394.463, F.S.; authorizing, rather than requiring, law enforcement officers to take certain persons into custody for involuntary examinations; requiring a law enforcement officer to provide a parent or legal guardian of a minor being transported to certain facilities with specified facility information; providing an exception; requiring that written reports by law enforcement officers contain certain information; requiring a certain institute to collect and analyze certain documents and use them to prepare annual reports; providing requirements for such reports; requiring the institute to post such reports on its website; providing a due date for the annual reports; requiring the Department of Children and Families to post a specified report on its website; revising requirements for patient examinations at receiving facilities; revising requirements for petitions for involuntary services; revising requirements for releasing a patient from a receiving facility; requiring the department and the Agency for Health Care Administration to provide certain collected data to a specified institute; requiring the institute to analyze the collected data, identify patterns and trends, and make recommendations to decrease avoidable admissions; authorizing recommendations to be addressed in a specified manner; requiring the institute to publish a specified report on its website and submit the report to the Governor, Legislature, department, and agency by a certain date; amending s. 394.4655, F.S.; defining the term "involuntary outpatient placement"; authorizing a specified court to order an individual to involuntary outpatient placement; deleting provisions relating to criteria, retention of a patient, and petition for involuntary outpatient services and court proceedings relating to involuntary outpatient services; amending s. 394.467, F.S.; defining terms; revising requirements for ordering a person for involuntary services and treatment, petitions for involuntary service, appointment of counsel, and continuances of hearings, respectively; requiring clinical psychologists to have specified clinical experience in order to recommend involuntary services; authorizing certain psychiatric nurses to recommend involuntary services for mental health treatment; revising the conditions under which a court may waive the requirement for a patient to be present at an involuntary inpatient placement hearing; authorizing the court to permit witnesses to attend and testify remotely at the hearing through specified means; providing requirements for a witness to attend and testify remotely; requiring facilities to make certain clinical records available to a state attorney within a specified timeframe; specifying that such records remain confidential and may not be used for certain purposes; requiring the court to allow certain testimony from specified persons; providing requirements for certain parties and limitations on the court's order if specified services or funding is not available; revising the length of time a court may require a patient to receive services; prohibiting courts from ordering individuals with developmental disabilities to be involuntarily placed in a state treatment facility; requiring courts to refer such individuals, and authorizing courts to refer certain other individuals, to specified agencies for evaluation and services; providing requirements for service plan modifications, noncompliance with involuntary outpatient services, and discharge, respectively; revising requirements for the procedure for continued involuntary services and return to facilities, respectively; amending s. 394.468, F.S.; revising requirements for discharge planning and procedures; providing requirements for the discharge transition process;

creating s. 394.4915, F.S.; establishing the Office of Children's Behavioral Health Ombudsman within the Department of Children and Families for a specified purpose; providing responsibilities of the office; requiring the department and managing entities to include specified information in a specified manner on their websites; amending ss. 394.495 and 394.496, F.S.; conforming provisions to changes made by the act; amending s. 394.499, F.S.; revising eligibility requirements for children's crisis stabilization unit/juvenile addictions receiving facility services; amending s. 394.875, F.S.; deleting a limitation on the size of a crisis stabilization unit; deleting a requirement for the department to implement a certain demonstration project; creating s. 394.90826, F.S.; requiring the Department of Children and Families and the Agency for Health Care Administration to jointly establish regional behavioral health interagency collaboratives for certain purposes; providing objectives the collaboratives are to meet; specifying collaborative membership; requiring each collaborative to define objectives based on the needs of its region; requiring the department to define the regions served and to facilitate meetings; requiring the entities represented in a collaborative to provide certain assistance; amending s. 394.9085, F.S.; conforming a cross-reference to changes made by the act; amending s. 397.305, F.S.; revising the purpose of ch. 397, F.S., to include the most appropriate environment for substance abuse services; amending s. 397.311, F.S.; revising definitions; amending s. 397.401, F.S.; prohibiting certain service providers from exceeding their licensed capacity by more than a specified percentage or for more than a specified number of days; amending s. 397.4073, F.S.; providing an exception to background screening requirements for certain licensed physicians and nurses; amending s. 397.501, F.S.; revising notice requirements for the right to counsel for certain individuals; amending s. 397.581, F.S.; revising actions that constitute unlawful activities relating to assessment and treatment; providing penalties; amending s. 397.675, F.S.; revising the criteria for involuntary admissions for purposes of assessment and stabilization and for involuntary treatment; amending s. 397.6751, F.S.; revising service provider responsibilities relating to involuntary admissions; amending s. 397.681, F.S.; revising the jurisdiction of the courts with regard to certain petitions; specifying requirements for the court to allow a waiver of the respondent's right to counsel relating to petitions for involuntary treatment; revising the circumstances under which courts are required to appoint counsel for respondents without regard to respondents' wishes; renumbering and amending s. 397.693, F.S.; revising the circumstances under which a person may be the subject of a petition for court-ordered involuntary treatment; renumbering and amending s. 397.695, F.S.; authorizing the court to prohibit or a law enforcement agency to waive any service of process fees for petitioners determined to be indigent; renumbering and amending s. 397.6951, F.S.; revising the information required to be included in a petition for involuntary treatment services; authorizing a petitioner to include a certificate or report of a qualified professional with such petition; requiring such certificate or report to contain certain information; requiring that certain additional information be included if an emergency exists; renumbering and amending s. 397.6955, F.S.; revising when the office of criminal conflict and civil regional counsel represents a person in the filing of a petition for involuntary services and when a hearing must be held on such petition; requiring a law enforcement agency to effect service for initial treatment hearings; providing an exception; amending s. 397.6818, F.S.; authorizing the court to take certain actions and issue certain orders regarding a respondent's involuntary assessment if emergency circumstances exist; providing a specified timeframe for taking such actions; prohibiting the service provider from holding the respondent for observation longer than a certain amount of time; providing exceptions; authorizing the court to issue or reissue a specified order under certain circumstances;, continue the case, and order a law enforcement officer or other agent to take the respondent into custody and deliver him or her to the service provider; providing that a case be dismissed under certain circumstances; amending s. 397.6957, F.S.; expanding the exemption from the requirement that a respondent be present at a hearing on a petition for involuntary treatment services; authorizing the court to order drug tests and to permit witnesses to attend and testify remotely at the hearing through certain means; deleting a provision requiring the court to appoint a guardian advocate under certain circumstances; prohibiting a respondent from being involuntarily ordered into treatment unless certain requirements are met; providing requirements relating to involuntary assessment and stabilization orders; providing requirements relating to involuntary treatment hearings; requiring that the assessment of a respondent occur before a specified time unless certain requirements are met; authorizing service providers to petition the court in writing for an extension of the observation period; providing service requirements for such petitions; authorizing the service provider to continue to hold the respondent if the court grants the petition; requiring a qualified professional to transmit his or her report to the clerk of the court within a specified timeframe; requiring the clerk of the court to enter the report into the court file; providing requirements for the report; providing that the report's filing satisfies the requirements for release of certain individuals if it contains admission and discharge information; providing for the petition's dismissal under certain circumstances; authorizing the court to initiate involuntary proceedings; requiring that, if a treatment order is issued, it must include certain findings; amending s. 397.697, F.S.; requiring that an individual meet certain requirements to qualify for involuntary outpatient treatment; revising the jurisdiction of the court with respect to certain orders entered in a case; specifying that certain hearings may be set by either the motion of a party or under the court's own authority; requiring a certain institute to receive and maintain copies of certain documents and use them to prepare annual reports; providing requirements for such reports; requiring the institute to post such reports on its website and provide copies to the department and the Legislature; amending s. 397.6971, F.S.; conforming provisions to changes made by the act; amending s. 397.6975, F.S.; authorizing certain entities to file a petition for renewal of an involuntary treatment services order; revising the timeframe during which the court is required to schedule a hearing; deleting obsolete provisions; amending s. 397.6977, F.S.; providing requirements for discharge planning and procedures for a respondent's release from involuntary treatment services; repealing ss. 397.6811, 397.6814, 397.6815, 397.6819, 397.6821, 397.6822, and 397.6978, F.S., relating to involuntary assessment and stabilization, contents of petitions, procedure, licensed service provider responsibilities, extension of time for completion of involuntary assessment and stabilization, disposition of the individual after involuntary assessment, and the appointment of guardian advocates, respectively; amending s. 916.13, F.S.; requiring the Department of Children and Families to complete and submit a competency evaluation report to the circuit court to determine whether a defendant adjudicated incompetent to proceed meets the criteria for involuntary civil commitment if it is determined that the defendant will not or is unlikely to regain competency; defining the term "competency evaluation report to the circuit court"; requiring a qualified professional to sign such report under penalty of perjury; providing requirements for such report; requiring a defendant who meets the criteria for involuntary examination to appear remotely for a hearing; authorizing court witnesses to appear remotely for the hearing; amending ss. 40.29, 394.492, 409.972, 744.2007, and 916.107, F.S.; conforming cross-references and provisions to changes made by the act; providing an appropriation; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1784**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 7021** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Grall—

CS for CS for HB 7021—A bill to be entitled An act relating to mental health and substance abuse; amending s. 394.4572, F.S.; providing an exception to background screening requirements for certain licensed physicians and nurses; amending s. 394.459, F.S.; specifying a timeframe for recording restrictions in a patient's clinical file; requiring that such recorded restriction be immediately served on certain parties; conforming a provision to changes made by the act; amending s. 394.4598, F.S.; authorizing certain psychiatric nurses to consult with guardian advocates for purposes of obtaining consent for treatment; amending s. 394.4599, F.S.; revising written notice requirements relating to filing petitions for involuntary services; amending s. 394.461, F.S.; authorizing the state to establish that a transfer evaluation was performed by providing the court with a copy of the evaluation before the close of the state's case-in-chief; prohibiting the court from considering substantive information in the transfer evaluation; providing an exception; revising reporting requirements; amending s. 394.4615, F.S.; allowing a patient's legal custodian to authorize the release of his or her clinical records; conforming provisions to changes made by the act; amending s. 394.462, F.S.; authorizing a county to include alternative funding arrangements for transporting individuals to designated receiving facilities in the county's transportation plan; amending s. 394.4625, F.S.; revising requirements relating to voluntary admissions to a facility for examination and treatment; requiring certain treating

psychiatric nurses to document specified information in a patient's clinical record within a specified timeframe; requiring clinical psychologists who make determinations of involuntary placement at certain mental health facilities to have specified clinical experience; authorizing certain psychiatric nurses to order emergency treatment for certain patients; conforming provisions to changes made by the act; amending s. 394.463, F.S.; authorizing, rather than requiring, law enforcement officers to take certain persons into custody for involuntary examinations; requiring a law enforcement officer to provide a parent or legal guardian of a minor being transported to certain facilities with specified facility information; providing an exception; requiring written reports by law enforcement officers to contain certain information; requiring the Louis de la Parte Florida Mental Health Institute to collect and analyze certain documents and use them to prepare annual reports; providing requirements for such reports; requiring the institute to post such reports on its website by a specified date; requiring the department to post a specified providing requirements for an examination to determine if the report on its website; criteria for involuntary services are met; defining the term "repeated admittance"; revising requirements for releasing a patient from a receiving facility; revising requirements for petitions for involuntary services; requiring the department and the Agency for Health Care Administration to analyze certain data, identify patterns and trends, and make recommendations to decrease avoidable admissions; authorizing recommendations to be addressed in a specified manner; requiring the institute to publish a specified report on its website and submit such report to the Governor and Legislature by a certain date; amending s. 394.4655, F.S.; defining the term "involuntary outpatient placement"; authorizing a specified court to order an individual to involuntary outpatient treatment; removing provisions relating to criteria, retention of a patient, and petition for involuntary outpatient services and court proceedings relating to involuntary outpatient services; amending s. 394.467, F.S.; providing definitions; revising requirements for ordering a person for involuntary services and treatment, petitions for involuntary services, appointment of counsel, and continuances of hearings, respectively; requiring clinical psychologists to have specified clinical experience in order to recommend involuntary services; authorizing certain psychiatric nurses to recommend involuntary services for mental health treatment; revising the conditions under which a court may waive the requirement for a patient to be present at an involuntary inpatient placement hearing; authorizing the court to permit the state attorney and witnesses to attend and testify remotely at the hearing through specified means; providing requirements for the state attorney and witnesses to attend and testify remotely; requiring facilities to make certain clinical records available to a state attorney within a specified timeframe; specifying that such records remain confidential and may not be used for certain purposes; requiring the court to allow certain testimony from specified persons; revising the length of time a court may require a patient to receive services; requiring facilities to discharge patients when they no longer meet the criteria for involuntary inpatient treatment; prohibiting courts from ordering individuals with developmental disabilities to be involuntarily placed in a state treatment facility; requiring courts to refer such individuals, and authorizing courts to refer certain other individuals, to specified agencies for evaluation and services under certain circumstances; providing for a court to retain jurisdiction over specified cases; providing requirements for service plan modifications, noncompliance with involuntary outpatient services, and discharge, respectively; revising requirements for the procedure for continued involuntary services and return to facilities, respectively; amending s. 394.468, F.S.; revising requirements for discharge planning and procedures; providing requirements for the discharge transition process; creating s. 394.4915, F.S.; establishing the Office of Children's Behavioral Health Ombudsman within the Department of Children and Families for a specified purpose; providing responsibilities of the office; requiring the department and managing entities to include specified information in a specified manner on their websites; amending ss. 394.495 and 394.496, F.S.; conforming provisions to changes made by the act; amending s. 394.499, F.S.; revising eligibility requirements for children's crisis stabilization unit/juvenile addictions receiving facility services; amending s. 394.875, F.S.; authorizing certain psychiatric nurses to provide certain services; removing a limitation on the size of a crisis stabilization unit; removing a requirement for the department to implement a certain demonstration project; creating s. 394.90826, F.S.; requiring the Department of Health and the Agency for Health Care Administration to jointly establish behavioral health interagency collaboratives throughout the state for specified purposes; providing objectives and membership for each regional collaborative; requiring the department to define the regions to be served; providing requirements for the entities represented in each collaborative; amending s. 394.9085, F.S.; conforming a cross-reference to changes made by the act; amending s. 397.305, F.S.; revising the purpose to include the most appropriate environment for substance abuse services; amending s. 397.311, F.S.; revising definitions; amending s. 397.401, F.S.; prohibiting certain service providers from exceeding their licensed capacity by more than a specified percentage or for more than a specified number of days; amending s. 397.4073, F.S.; providing an exception to background screening requirements for certain licensed physicians and nurses; amending s. 397.501, F.S.; revising notice requirements for the right to counsel; amending s. 397.581, F.S.; revising actions that constitute unlawful activities relating to assessment and treatment; providing penalties; amending s. 397.675, F.S.; revising the criteria for involuntary admissions for purposes of assessment and stabilization, and for involuntary treatment; amending s. 397.6751, F.S.; revising service provider responsibilities relating to involuntary admissions; amending s. 397.681, F.S.; revising where involuntary treatment petitions for substance abuse impaired persons may be filed specifying requirements for the court to allow a waiver of the respondent's right to counsel relating to petitions for involuntary treatment; revising the circumstances under which courts are required to appoint counsel for respondents without regard to respondents' wishes; renumbering and amending s. 397.693, F.S.; revising the circumstances under which a person may be the subject of court-ordered involuntary treatment; renumbering and amending s. 397.695, F.S.; authorizing the court or clerk of the court to waive or prohibit any service of process fees for petitioners determined to be indigent; renumbering and amending s. 397.6951, F.S.; revising the information required to be included in a petition for involuntary treatment services; authorizing a petitioner to include a certificate or report of a qualified professional with such petition; requiring such certificate or report to contain certain information; requiring that certain additional information be included if an emergency exists; renumbering and amending s. 397.6955, F.S.; revising when the office of criminal conflict and civil regional counsel represents a person in the filing of a petition for involuntary services and when a hearing must be held on such petition; requiring a law enforcement agency to effect service for initial treatment hearings; providing an exception; amending s. 397.6818, F.S.; authorizing the court to take certain actions and issue certain orders regarding a respondent's involuntary assessment if emergency circumstances exist; providing a specified timeframe for taking such actions; amending s. 397.6957, F.S.; expanding the exemption from the requirement that a respondent be present at a hearing on a petition for involuntary treatment services; authorizing the court to order drug tests and to permit witnesses to attend and testify remotely at the hearing through certain means; removing a provision requiring the court to appoint a guardian advocate under certain circumstances; prohibiting a respondent from being involuntarily ordered into treatment unless certain requirements are met; providing requirements relating to involuntary assessment and stabilization orders; providing requirements relating to involuntary treatment hearings; requiring that the assessment of a respondent occur before a specified time unless certain requirements are met; authorizing service providers to petition the court in writing for an extension of the observation period; providing service requirements for such petitions; authorizing the service provider to continue to hold the respondent if the court grants the petition; requiring a qualified professional to transmit his or her report to the clerk of the court within a specified timeframe; requiring the clerk of the court to enter the report into the court file; providing requirements for the report; providing that the report's filing satisfies the requirements for release of certain individuals if it contains admission and discharge information; providing for the petition's dismissal under certain circumstances; authorizing the court to order certain persons to take a respondent into custody and transport him or her to or from certain service providers and the court; revising the petitioner's burden of proof in the hearing; authorizing the court to initiate involuntary proceedings and have the respondent evaluated by the Agency for Persons with Disabilities under certain circumstances; requiring that, if a treatment order is issued, it must include certain findings; amending s. 397.697, F.S.; requiring that an individual meet certain requirements to qualify for involuntary outpatient treatment; revising the jurisdiction of the court with respect to certain orders entered in a case; specifying that certain hearings may be set by either the motion of a party or under the court's own authority; requiring a certain institute to receive and maintain copies of certain documents and use them to prepare annual reports; providing requirements for such reports; requiring the institute to post such reports on its website and

provide copies of such reports to the department and the Legislature by a specified date; amending s. 397.6971, F.S.; revising when an individual receiving involuntary treatment services may be determined eligible for discharge; conforming provisions to changes made by the act; amending s. 397.6975, F.S.; authorizing certain entities to file a petition for renewal of an involuntary treatment services order; revising the timeframe during which the court is required to schedule a hearing; amending s. 397.6977, F.S.; providing requirements for discharge planning and procedures for a respondent's release from involuntary treatment services; repealing ss. 397.6811, 397.6814, 397.6815, 397.6819, 397.6821, 397.6822, and 397.6978, F.S., relating to involuntary assessment and stabilization and the appointment of guardian advocates, respectively; amending s. 916.13, F.S.; requiring the Department of Children and Families to complete and submit a competency evaluation report to the circuit court to determine if a defendant adjudicated incompetent to proceed meets the criteria for involuntary civil commitment if it is determined that the defendant will not or is unlikely to regain competency; defining the term "competency evaluation report to the circuit court"; requiring a qualified professional to sign such report under penalty of perjury; providing requirements for such report; authorizing a defendant who meets the criteria for involuntary examination and court witnesses to appear remotely for a hearing; amending ss. 40.29, 394.455, 409.972, 464.012, 744.2007, and 916.107, F.S.; conforming provisions to changes made by the act; providing an appropriation; providing an effective date.

—a companion measure, was substituted for **CS for SB 1784** and read the second time by title.

Senator Grall moved the following amendment:

Amendment 1 (651394) (with title amendment)—Delete lines 804-2517 and insert:
and provide copies of *such* reports to the department, the President of the Senate, the Speaker of the House of Representatives, and the minority leaders of the Senate and the House of Representatives *by November 30 of each year*.

(f) A patient *must* ~~shall~~ be examined by a physician or a clinical psychologist, or by a psychiatric nurse performing within the framework of an established protocol with a psychiatrist at a facility without unnecessary delay to determine if the criteria for involuntary services are met. *Such examination shall include, but not be limited to, consideration of the patient's treatment history at the facility and any information regarding the patient's condition and behavior provided by knowledgeable individuals. Evidence that criteria under subparagraph (1)(b)1. are met may include, but need not be limited to, repeated admittance for involuntary examination despite implementation of appropriate discharge plans. For purposes of this paragraph, the term "repeated admittance" means three or more admissions into the facility within the immediately preceding 12 months. An individual's basic needs being served while admitted to the facility may not be considered evidence that criteria under subparagraph (1)(b)1. are met.* Emergency treatment may be provided upon the order of a physician *or a psychiatric nurse practicing within the framework of an established protocol with a psychiatrist* if the physician *or psychiatric nurse* determines that such treatment is necessary for the safety of the patient or others. The patient may not be released by the receiving facility or its contractor without the documented approval of a psychiatrist or a clinical psychologist or, if the receiving facility is owned or operated by a hospital, health system, or nationally accredited community mental health center, the release may also be approved by a psychiatric nurse performing within the framework of an established protocol with a psychiatrist, or an attending emergency department physician with experience in the diagnosis and treatment of mental illness after completion of an involuntary examination pursuant to this subsection. A psychiatric nurse may not approve the release of a patient if the involuntary examination was initiated by a psychiatrist unless the release is approved by the initiating psychiatrist. The release may be approved through telehealth.

(g) The examination period must be for up to 72 hours *and begins when a patient arrives at the receiving facility*. For a minor, the examination shall be initiated within 12 hours after the patient's arrival at the facility. Within the examination period, one of the following actions must be taken, based on the individual needs of the patient:

1. The patient shall be released, unless he or she is charged with a crime, in which case the patient shall be returned to the custody of a law enforcement officer;

2. The patient shall be released, subject to subparagraph 1., for voluntary outpatient treatment;

3. The patient, unless he or she is charged with a crime, shall be asked to give express and informed consent to placement as a voluntary patient and, if such consent is given, the patient shall be admitted as a voluntary patient; or

4. A petition for involuntary services shall be filed in the circuit court ~~if inpatient treatment is deemed necessary~~ or with the ~~criminal~~ county court, ~~as defined in s. 394.4655(1),~~ as applicable. When inpatient treatment is deemed necessary, the least restrictive treatment consistent with the optimum improvement of the patient's condition shall be made available. *The* ~~When a~~ petition ~~is to be filed for involuntary outpatient placement, it~~ shall be filed by one of the petitioners specified in *s. 394.467, and the court shall dismiss an untimely filed petition* ~~s. 394.4655(4)(a)~~. ~~A petition for involuntary inpatient placement shall be filed by the facility administrator.~~ If a patient's 72-hour examination period ends on a weekend or holiday, *including the hours before the ordinary business hours on the morning of the next working day,* and the receiving facility:

a. Intends to file a petition for involuntary services, such patient may be held at *the* ~~a receiving~~ facility through the next working day thereafter and *the* ~~such~~ petition ~~for involuntary services~~ must be filed no later than such date. If the ~~receiving~~ facility fails to file *the* ~~a~~ petition *by* ~~for involuntary services at~~ the *ordinary* close of *business on* the next working day, the patient shall be released from the receiving facility following approval pursuant to paragraph (f).

b. Does not intend to file a petition for involuntary services, *the* ~~a~~ receiving facility may postpone release of a patient until the next working day thereafter only if a qualified professional documents that adequate discharge planning and procedures in accordance with s. 394.468, and approval pursuant to paragraph (f), are not possible until the next working day.

(h) A person for whom an involuntary examination has been initiated who is being evaluated or treated at a hospital for an emergency medical condition specified in s. 395.002 must be examined by a facility within the examination period specified in paragraph (g). The examination period begins when the patient arrives at the hospital and ceases when the attending physician documents that the patient has an emergency medical condition. If the patient is examined at a hospital providing emergency medical services by a professional qualified to perform an involuntary examination and is found as a result of that examination not to meet the criteria for involuntary ~~outpatient~~ services pursuant to *s. 394.467* ~~s. 394.4655(2) or involuntary inpatient placement pursuant to s. 394.467(1)~~, the patient may be offered voluntary *outpatient or inpatient* services ~~or placement~~, if appropriate, or released directly from the hospital providing emergency medical services. The finding by the professional that the patient has been examined and does not meet the criteria for involuntary ~~inpatient~~ services ~~or involuntary outpatient placement~~ must be entered into the patient's clinical record. This paragraph is not intended to prevent a hospital providing emergency medical services from appropriately transferring a patient to another hospital before stabilization if the requirements of s. 395.1041(3)(c) have been met.

(4) DATA ANALYSIS.—

(a) The department shall provide the ~~Using~~ data collected under paragraph (2)(a) and s. 1006.07(10), *and child welfare data related to involuntary examinations, to the Louis de la Parte Florida Mental Health Institute established under s. 1004.44. The Agency for Health Care Administration shall provide Medicaid data to the institute, requested by the institute, related to involuntary examination of children enrolled in Medicaid for the purpose of administering the program and improving service provision for such children. The department and agency shall enter into any necessary agreements with the institute to provide such data. The institute shall use such data to* ~~the department shall~~, at a minimum, analyze data on both the initiation of involuntary examinations of children and the initiation of involuntary examinations of students who are removed from a school; identify any patterns or

trends and cases in which involuntary examinations are repeatedly initiated on the same child or student; study root causes for such patterns, trends, or repeated involuntary examinations; and make recommendations to encourage the use of alternatives to eliminate inappropriate initiations of such examinations.

(b) The institute shall analyze service data on individuals who are high utilizers of crisis stabilization services provided in designated receiving facilities, and shall, at a minimum, identify any patterns or trends and make recommendations to decrease avoidable admissions. Recommendations may be addressed in the department's contracts with the behavioral health managing entities and in the contracts between the Agency for Health Care Administration and the Medicaid managed medical assistance plans.

(c) The *institute* ~~department~~ shall *publish* ~~submit~~ a report on its findings and recommendations *on its website and submit the report* to the Governor, the President of the Senate, ~~and~~ the Speaker of the House of Representatives*, the department, and the Agency for Health Care Administration* by November 1 of each odd-numbered year.

Section 10. Section 394.4655, Florida Statutes, is amended to read:

394.4655 *Orders to* involuntary outpatient *placement* ~~services~~.—

(1) ~~DEFINITIONS.—~~As used in this section, the term *"involuntary outpatient placement" means involuntary outpatient services as defined in s. 394.467.*~~:~~

~~(a) "Court" means a circuit court or a criminal county court.~~

~~(b) "Criminal County court" means a county court exercising its original jurisdiction in a misdemeanor case under s. 34.01.~~

(2) *A court or a county court may order an individual to involuntary outpatient placement under s. 394.467.* ~~CRITERIA FOR INVOLUNTARY OUTPATIENT SERVICES.—A person may be ordered to involuntary outpatient services upon a finding of the court, by clear and convincing evidence, that the person meets all of the following criteria:~~

~~(a) The person is 18 years of age or older.~~

~~(b) The person has a mental illness.~~

~~(c) The person is unlikely to survive safely in the community without supervision, based on a clinical determination.~~

~~(d) The person has a history of lack of compliance with treatment for mental illness.~~

~~(e) The person has:~~

~~1. At least twice within the immediately preceding 36 months been involuntarily admitted to a receiving or treatment facility as defined in s. 394.455, or has received mental health services in a forensic or correctional facility. The 36-month period does not include any period during which the person was admitted or incarcerated; or~~

~~2. Engaged in one or more acts of serious violent behavior toward self or others, or attempts at serious bodily harm to himself or herself or others, within the preceding 36 months.~~

~~(f) The person is, as a result of his or her mental illness, unlikely to voluntarily participate in the recommended treatment plan and has refused voluntary services for treatment after sufficient and conscientious explanation and disclosure of why the services are necessary or is unable to determine for himself or herself whether services are necessary.~~

~~(g) In view of the person's treatment history and current behavior, the person is in need of involuntary outpatient services in order to prevent a relapse or deterioration that would be likely to result in serious bodily harm to himself or herself or others, or a substantial harm to his or her well being as set forth in s. 394.463(1).~~

~~(h) It is likely that the person will benefit from involuntary outpatient services.~~

~~(i) All available, less restrictive alternatives that would offer an opportunity for improvement of his or her condition have been judged to be inappropriate or unavailable.~~

~~(3) INVOLUNTARY OUTPATIENT SERVICES.—~~

~~(a)1. A patient who is being recommended for involuntary outpatient services by the administrator of the facility where the patient has been examined may be retained by the facility after adherence to the notice procedures provided in s. 394.4599. The recommendation must be supported by the opinion of a psychiatrist and the second opinion of a clinical psychologist or another psychiatrist, both of whom have personally examined the patient within the preceding 72 hours, that the criteria for involuntary outpatient services are met. However, if the administrator certifies that a psychiatrist or clinical psychologist is not available to provide the second opinion, the second opinion may be provided by a licensed physician who has postgraduate training and experience in diagnosis and treatment of mental illness, a physician assistant who has at least 3 years' experience and is supervised by such licensed physician or a psychiatrist, a clinical social worker, or by a psychiatric nurse. Any second opinion authorized in this subparagraph may be conducted through a face-to-face examination, in person or by electronic means. Such recommendation must be entered on an involuntary outpatient services certificate that authorizes the facility to retain the patient pending completion of a hearing. The certificate must be made a part of the patient's clinical record.~~

~~2. If the patient has been stabilized and no longer meets the criteria for involuntary examination pursuant to s. 394.463(1), the patient must be released from the facility while awaiting the hearing for involuntary outpatient services. Before filing a petition for involuntary outpatient services, the administrator of the facility or a designated department representative must identify the service provider that will have primary responsibility for service provision under an order for involuntary outpatient services, unless the person is otherwise participating in outpatient psychiatric treatment and is not in need of public financing for that treatment, in which case the individual, if eligible, may be ordered to involuntary treatment pursuant to the existing psychiatric treatment relationship.~~

~~3. The service provider shall prepare a written proposed treatment plan in consultation with the patient or the patient's guardian advocate, if appointed, for the court's consideration for inclusion in the involuntary outpatient services order that addresses the nature and extent of the mental illness and any co-occurring substance use disorder that necessitate involuntary outpatient services. The treatment plan must specify the likely level of care, including the use of medication, and anticipated discharge criteria for terminating involuntary outpatient services. Service providers may select and supervise other individuals to implement specific aspects of the treatment plan. The services in the plan must be deemed clinically appropriate by a physician, clinical psychologist, psychiatric nurse, mental health counselor, marriage and family therapist, or clinical social worker who consults with, or is employed or contracted by, the service provider. The service provider must certify to the court in the proposed plan whether sufficient services for improvement and stabilization are currently available and whether the service provider agrees to provide those services. If the service provider certifies that the services in the proposed treatment plan are not available, the petitioner may not file the petition. The service provider must notify the managing entity if the requested services are not available. The managing entity must document such efforts to obtain the requested services.~~

~~(b) If a patient in involuntary inpatient placement meets the criteria for involuntary outpatient services, the administrator of the facility may, before the expiration of the period during which the facility is authorized to retain the patient, recommend involuntary outpatient services. The recommendation must be supported by the opinion of a psychiatrist and the second opinion of a clinical psychologist or another psychiatrist, both of whom have personally examined the patient within the preceding 72 hours, that the criteria for involuntary outpatient services are met. However, if the administrator certifies that a psychiatrist or clinical psychologist is not available to provide the second opinion, the second opinion may be provided by a licensed physician who has postgraduate training and experience in diagnosis and treatment of mental illness, a physician assistant who has at least 3 years' experience and is supervised by such licensed physician or a psychiatrist, a clinical social worker, or by a psychiatric nurse. Any second opinion~~

~~authorized in this subparagraph may be conducted through a face-to-face examination, in person or by electronic means. Such recommendation must be entered on an involuntary outpatient services certificate, and the certificate must be made a part of the patient's clinical record.~~

~~(c)1. The administrator of the treatment facility shall provide a copy of the involuntary outpatient services certificate and a copy of the state mental health discharge form to the managing entity in the county where the patient will be residing. For persons who are leaving a state mental health treatment facility, the petition for involuntary outpatient services must be filed in the county where the patient will be residing.~~

~~2. The service provider that will have primary responsibility for service provision shall be identified by the designated department representative before the order for involuntary outpatient services and must, before filing a petition for involuntary outpatient services, certify to the court whether the services recommended in the patient's discharge plan are available and whether the service provider agrees to provide those services. The service provider must develop with the patient, or the patient's guardian advocate, if appointed, a treatment or service plan that addresses the needs identified in the discharge plan. The plan must be deemed to be clinically appropriate by a physician, clinical psychologist, psychiatric nurse, mental health counselor, marriage and family therapist, or clinical social worker, as defined in this chapter, who consults with, or is employed or contracted by, the service provider.~~

~~3. If the service provider certifies that the services in the proposed treatment or service plan are not available, the petitioner may not file the petition. The service provider must notify the managing entity if the requested services are not available. The managing entity must document such efforts to obtain the requested services.~~

~~(4) PETITION FOR INVOLUNTARY OUTPATIENT SERVICES.~~

~~(a) A petition for involuntary outpatient services may be filed by:~~

~~1. The administrator of a receiving facility; or~~

~~2. The administrator of a treatment facility.~~

~~(b) Each required criterion for involuntary outpatient services must be alleged and substantiated in the petition for involuntary outpatient services. A copy of the certificate recommending involuntary outpatient services completed by a qualified professional specified in subsection (3) must be attached to the petition. A copy of the proposed treatment plan must be attached to the petition. Before the petition is filed, the service provider shall certify that the services in the proposed plan are available. If the necessary services are not available, the petition may not be filed. The service provider must notify the managing entity if the requested services are not available. The managing entity must document such efforts to obtain the requested services.~~

~~(c) The petition for involuntary outpatient services must be filed in the county where the patient is located, unless the patient is being placed from a state treatment facility, in which case the petition must be filed in the county where the patient will reside. When the petition has been filed, the clerk of the court shall provide copies of the petition and the proposed treatment plan to the department, the managing entity, the patient, the patient's guardian or representative, the state attorney, and the public defender or the patient's private counsel. A fee may not be charged for filing a petition under this subsection.~~

~~(5) APPOINTMENT OF COUNSEL. Within 1 court working day after the filing of a petition for involuntary outpatient services, the court shall appoint the public defender to represent the person who is the subject of the petition, unless the person is otherwise represented by counsel. The clerk of the court shall immediately notify the public defender of the appointment. The public defender shall represent the person until the petition is dismissed, the court order expires, or the patient is discharged from involuntary outpatient services. An attorney who represents the patient must be provided access to the patient, witnesses, and records relevant to the presentation of the patient's case and shall represent the interests of the patient, regardless of the source of payment to the attorney.~~

~~(6) CONTINUANCE OF HEARING. The patient is entitled, with the concurrence of the patient's counsel, to at least one continuance of the hearing. The continuance shall be for a period of up to 4 weeks.~~

~~(7) HEARING ON INVOLUNTARY OUTPATIENT SERVICES.~~

~~(a)1. The court shall hold the hearing on involuntary outpatient services within 5 working days after the filing of the petition, unless a continuance is granted. The hearing must be held in the county where the petition is filed, must be as convenient to the patient as is consistent with orderly procedure, and must be conducted in physical settings not likely to be injurious to the patient's condition. If the court finds that the patient's attendance at the hearing is not consistent with the best interests of the patient and if the patient's counsel does not object, the court may waive the presence of the patient from all or any portion of the hearing. The state attorney for the circuit in which the patient is located shall represent the state, rather than the petitioner, as the real party in interest in the proceeding.~~

~~2. The court may appoint a magistrate to preside at the hearing. One of the professionals who executed the involuntary outpatient services certificate shall be a witness. The patient and the patient's guardian or representative shall be informed by the court of the right to an independent expert examination. If the patient cannot afford such an examination, the court shall ensure that one is provided, as otherwise provided by law. The independent expert's report is confidential and not discoverable, unless the expert is to be called as a witness for the patient at the hearing. The court shall allow testimony from individuals, including family members, deemed by the court to be relevant under state law, regarding the person's prior history and how that prior history relates to the person's current condition. The testimony in the hearing must be given under oath, and the proceedings must be recorded. The patient may refuse to testify at the hearing.~~

~~(b)1. If the court concludes that the patient meets the criteria for involuntary outpatient services pursuant to subsection (2), the court shall issue an order for involuntary outpatient services. The court order shall be for a period of up to 90 days. The order must specify the nature and extent of the patient's mental illness. The order of the court and the treatment plan must be made part of the patient's clinical record. The service provider shall discharge a patient from involuntary outpatient services when the order expires or any time the patient no longer meets the criteria for involuntary placement. Upon discharge, the service provider shall send a certificate of discharge to the court.~~

~~2. The court may not order the department or the service provider to provide services if the program or service is not available in the patient's local community, if there is no space available in the program or service for the patient, or if funding is not available for the program or service. The service provider must notify the managing entity if the requested services are not available. The managing entity must document such efforts to obtain the requested services. A copy of the order must be sent to the managing entity by the service provider within 1 working day after it is received from the court. The order may be submitted electronically through existing data systems. After the order for involuntary services is issued, the service provider and the patient may modify the treatment plan. For any material modification of the treatment plan to which the patient or, if one is appointed, the patient's guardian advocate agrees, the service provider shall send notice of the modification to the court. Any material modifications of the treatment plan which are contested by the patient or the patient's guardian advocate, if applicable, must be approved or disapproved by the court consistent with subsection (3).~~

~~3. If, in the clinical judgment of a physician, the patient has failed or has refused to comply with the treatment ordered by the court, and, in the clinical judgment of the physician, efforts were made to solicit compliance and the patient may meet the criteria for involuntary examination, a person may be brought to a receiving facility pursuant to s. 394.463. If, after examination, the patient does not meet the criteria for involuntary inpatient placement pursuant to s. 394.467, the patient must be discharged from the facility. The involuntary outpatient services order shall remain in effect unless the service provider determines that the patient no longer meets the criteria for involuntary outpatient services or until the order expires. The service provider must determine whether modifications should be made to the existing treatment plan and must attempt to continue to engage the patient in treatment. For any material modification of the treatment plan to which the patient or~~

~~the patient's guardian advocate, if applicable, agrees, the service provider shall send notice of the modification to the court. Any material modifications of the treatment plan which are contested by the patient or the patient's guardian advocate, if applicable, must be approved or disapproved by the court consistent with subsection (3).~~

~~(c) If, at any time before the conclusion of the initial hearing on involuntary outpatient services, it appears to the court that the person does not meet the criteria for involuntary outpatient services under this section but, instead, meets the criteria for involuntary inpatient placement, the court may order the person admitted for involuntary inpatient examination under s. 394.463. If the person instead meets the criteria for involuntary assessment, protective custody, or involuntary admission pursuant to s. 397.675, the court may order the person to be admitted for involuntary assessment for a period of 5 days pursuant to s. 397.6811. Thereafter, all proceedings are governed by chapter 397.~~

~~(d) At the hearing on involuntary outpatient services, the court shall consider testimony and evidence regarding the patient's competence to consent to services. If the court finds that the patient is incompetent to consent to treatment, it shall appoint a guardian advocate as provided in s. 394.4598. The guardian advocate shall be appointed or discharged in accordance with s. 394.4598.~~

~~(e) The administrator of the receiving facility or the designated department representative shall provide a copy of the court order and adequate documentation of a patient's mental illness to the service provider for involuntary outpatient services. Such documentation must include any advance directives made by the patient, a psychiatric evaluation of the patient, and any evaluations of the patient performed by a psychologist or a clinical social worker.~~

~~(8) PROCEDURE FOR CONTINUED INVOLUNTARY OUTPATIENT SERVICES.—~~

~~(a)1. If the person continues to meet the criteria for involuntary outpatient services, the service provider shall, at least 10 days before the expiration of the period during which the treatment is ordered for the person, file in the court that issued the order for involuntary outpatient services a petition for continued involuntary outpatient services. The court shall immediately schedule a hearing on the petition to be held within 15 days after the petition is filed.~~

~~2. The existing involuntary outpatient services order remains in effect until disposition on the petition for continued involuntary outpatient services.~~

~~3. A certificate shall be attached to the petition which includes a statement from the person's physician or clinical psychologist justifying the request, a brief description of the patient's treatment during the time he or she was receiving involuntary services, and an individualized plan of continued treatment.~~

~~4. The service provider shall develop the individualized plan of continued treatment in consultation with the patient or the patient's guardian advocate, if applicable. When the petition has been filed, the clerk of the court shall provide copies of the certificate and the individualized plan of continued services to the department, the patient, the patient's guardian advocate, the state attorney, and the patient's private counsel or the public defender.~~

~~(b) Within 1 court working day after the filing of a petition for continued involuntary outpatient services, the court shall appoint the public defender to represent the person who is the subject of the petition, unless the person is otherwise represented by counsel. The clerk of the court shall immediately notify the public defender of such appointment. The public defender shall represent the person until the petition is dismissed or the court order expires or the patient is discharged from involuntary outpatient services. Any attorney representing the patient shall have access to the patient, witnesses, and records relevant to the presentation of the patient's case and shall represent the interests of the patient, regardless of the source of payment to the attorney.~~

~~(c) Hearings on petitions for continued involuntary outpatient services must be before the court that issued the order for involuntary outpatient services. The court may appoint a magistrate to preside at the hearing. The procedures for obtaining an order pursuant to this paragraph must meet the requirements of subsection (7), except that the time period included in paragraph (2)(c) is not applicable in determining the appropriateness of additional periods of involuntary outpatient placement.~~

~~(d) Notice of the hearing must be provided as set forth in s. 394.4599. The patient and the patient's attorney may agree to a period of continued outpatient services without a court hearing.~~

~~(e) The same procedure must be repeated before the expiration of each additional period the patient is placed in treatment.~~

~~(f) If the patient has previously been found incompetent to consent to treatment, the court shall consider testimony and evidence regarding the patient's competence. Section 394.4598 governs the discharge of the guardian advocate if the patient's competency to consent to treatment has been restored.~~

Section 11. Section 394.467, Florida Statutes, is amended to read:

394.467 Involuntary inpatient placement *and involuntary outpatient services*.—

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

(a) "Court" means a circuit court or, for commitments only to involuntary outpatient services as defined in s. 394.4655, a county court.

(b) "Involuntary inpatient placement" means placement in a secure receiving or treatment facility providing stabilization and treatment services to a person 18 years of age or older who does not voluntarily consent to services under this chapter, or a minor who does not voluntarily assent to services under this chapter.

(c) "Involuntary outpatient services" means services provided in the community to a person who does not voluntarily consent to or participate in services under this chapter.

(d) "Services plan" means an individualized plan detailing the recommended behavioral health services and supports based on a thorough assessment of the needs of the patient, to safeguard and enhance the patient's health and well-being in the community.

(2)~~(1)~~ CRITERIA *FOR INVOLUNTARY SERVICES*.—A person may be ordered *by a court to be provided* ~~for~~ involuntary *services* ~~inpatient placement for treatment~~ upon a finding of the court, by clear and convincing evidence, that *the person meets the following criteria*:

(a) Involuntary outpatient services.—A person ordered to involuntary outpatient services must meet the following criteria:

1. The person has a mental illness and, because of his or her mental illness:

a. He or she is unlikely to voluntarily participate in a recommended services plan and has refused voluntary services for treatment after sufficient and conscientious explanation and disclosure of why the services are necessary; or

b. Is unable to determine for himself or herself whether services are necessary.

2. The person is unlikely to survive safely in the community without supervision, based on a clinical determination.

3. The person has a history of lack of compliance with treatment for mental illness.

4. In view of the person's treatment history and current behavior, the person is in need of involuntary outpatient services in order to prevent a relapse or deterioration that would be likely to result in serious bodily harm to himself or herself or others, or a substantial harm to his or her well-being as set forth in s. 394.463(1).

5. It is likely that the person will benefit from involuntary outpatient services.

6. All available less restrictive alternatives that would offer an opportunity for improvement of the person's condition have been deemed to be inappropriate or unavailable.

(b) Involuntary inpatient placement.—A person ordered to involuntary inpatient placement must meet the following criteria:

1.~~(a)~~ *The person* ~~He or she~~ has a mental illness and*,* because of his or her mental illness:

a.~~1.a.~~ He or she has refused voluntary inpatient placement for treatment after sufficient and conscientious explanation and disclosure of the purpose of ~~inpatient placement for~~ treatment; or

b. ~~He or she~~ Is unable to determine for himself or herself whether inpatient placement is necessary; and

2.a. He or she is incapable of surviving alone or with the help of willing*, able,* and responsible family or friends, including available alternative services, and, without treatment, is likely to suffer from neglect or refuse to care for himself or herself, and such neglect or refusal poses a real and present threat of substantial harm to his or her well-being; or

b. *Without treatment,* there is *a* substantial likelihood that in the near future *the person* ~~he or she~~ will inflict serious bodily harm on self or others, as evidenced by recent behavior causing, attempting *to cause*, or threatening *to cause* such harm; and

3.~~(b)~~ All available less restrictive treatment alternatives that would offer an opportunity for improvement of *the person's* ~~his or her~~ condition have been *deemed* ~~judged~~ to be inappropriate *or unavailable*.

(3)~~(2)~~ *RECOMMENDATION FOR INVOLUNTARY SERVICES AND* ~~ADMISSION TO A~~ TREATMENT ~~FACILITY~~.—A patient may be *recommended for involuntary inpatient placement, involuntary outpatient services, or a combination of both.*

(a) A patient may be retained by *the* ~~a~~ facility *that examined the patient for involuntary services until the completion of the patient's court hearing* ~~or involuntarily placed in a treatment facility~~ upon the recommendation of the administrator of the facility where the patient has been examined and after adherence to the notice and hearing procedures provided in s. 394.4599. *However, if a patient who is being recommended for only involuntary outpatient services has been stabilized and no longer meets the criteria for involuntary examination pursuant to s. 394.463(1), the patient must be released from the facility while awaiting the hearing for involuntary outpatient services.*

(b) The recommendation *that the involuntary services criteria reasonably appear to have been met* must be supported by the opinion of a psychiatrist and the second opinion of a clinical psychologist *with at least 3 years of clinical experience,* ~~or~~ another psychiatrist*, or a psychiatric nurse practicing within the framework of an established protocol with a psychiatrist, who* ~~both of whom have~~ personally examined the patient ~~within the preceding 72 hours, that the criteria for involuntary inpatient placement are met~~. *For involuntary inpatient placement, the patient must have been examined within the preceding 72 hours. For involuntary outpatient services the patient must have been examined within the preceding 30 days.*

(c) If ~~However, if the administrator certifies that~~ a psychiatrist*, a* ~~or~~ clinical psychologist *with at least 3 years of clinical experience, or a psychiatric nurse practicing within the framework of an established protocol with a psychiatrist* is not available to provide *a* ~~the~~ second opinion*, the petitioner must certify as such and* the second opinion may be provided by a licensed physician who has postgraduate training and experience in diagnosis and treatment of mental illness*, a clinical psychologist,* or ~~by~~ a psychiatric nurse.

(d) Any opinion authorized in this subsection may be conducted through a face-to-face *or in-person* examination, ~~in person,~~ or by electronic means. *Recommendations for involuntary services must be* ~~Such recommendation shall be~~ entered on a petition for involuntary *services* ~~inpatient placement certificate~~*, which shall be made a part of the patient's clinical record. The filing of the petition* ~~that~~ authorizes the facility to retain the patient pending transfer to a treatment facility or completion of a hearing.

(4)~~(3)~~ PETITION FOR INVOLUNTARY *SERVICES* ~~INPATIENT PLACEMENT~~.—

(a) A petition for involuntary services may be filed by:

1. The administrator of *a receiving* ~~the~~ facility*;*

2. The administrator of a treatment facility; or

3. A service provider who is treating the person being petitioned.

(b) A ~~shall file a~~ petition for involuntary inpatient placement*, or inpatient placement followed by outpatient services, must be filed* in the court in the county where the patient is located.

(c) A petition for involuntary outpatient services must be filed in the county where the patient is located, unless the patient is being placed from a state treatment facility, in which case the petition must be filed in the county where the patient will reside.

(d)1. The petitioner must state in the petition:

a. Whether the petitioner is recommending inpatient placement, outpatient services, or both.

b. The length of time recommended for each type of involuntary services.

c. The reasons for the recommendation.

2. If recommending involuntary outpatient services, or a combination of involuntary inpatient placement and outpatient services, the petitioner must identify the service provider that has agreed to provide services for the person under an order for involuntary outpatient services, unless he or she is otherwise participating in outpatient psychiatric treatment and is not in need of public financing for that treatment, in which case the individual, if eligible, may be ordered to involuntary treatment pursuant to the existing psychiatric treatment relationship.

3. When recommending an order to involuntary outpatient services, the petitioner shall prepare a written proposed services plan in consultation with the patient or the patient's guardian advocate, if appointed, for the court's consideration for inclusion in the involuntary outpatient services order that addresses the nature and extent of the mental illness and any co-occurring substance use disorder that necessitate involuntary outpatient services. The services plan must specify the likely needed level of care, including the use of medication, and anticipated discharge criteria for terminating involuntary outpatient services. The services in the plan must be deemed clinically appropriate by a physician, clinical psychologist, psychiatric nurse, mental health counselor, marriage and family therapist, or clinical social worker who consults with, or is employed or contracted by, the service provider. If the services in the proposed services plan are not available, the petitioner may not file the petition. The petitioner must notify the managing entity if the requested services are not available. The managing entity must document such efforts to obtain the requested service. The service provider who accepts the patient for involuntary outpatient services is responsible for the development of a comprehensive treatment plan.

(e) Each required criterion for the recommended involuntary services must be alleged and substantiated in the petition. A copy of the recommended services plan, if applicable, must be attached to the petition. The court must accept petitions and other documentation with electronic signatures.

(f) When the petition has been filed ~~Upon filing~~, the clerk of the court shall provide copies *of the petition and the recommended services plan, if applicable,* to the department, the *managing entity, the* patient, the patient's guardian or representative, ~~and~~ the state attorney*,* and *the* public defender *or the patient's private counsel* ~~of the judicial circuit in which the patient is located~~. A fee may not be charged for the filing of a petition under this subsection.

(5)~~(4)~~ APPOINTMENT OF COUNSEL.—Within 1 court working day after the filing of a petition for involuntary *services* ~~inpatient placement~~, the court shall appoint the public defender to represent the person who is the subject of the petition, unless the person is otherwise represented by counsel *or ineligible*. The clerk of the court shall immediately notify the public defender of such appointment. *The public*

defender shall represent the person until the petition is dismissed, the court order expires, the patient is discharged from involuntary services, or the public defender is otherwise discharged by the court. Any attorney *who represents* ~~representing~~ the patient shall *be provided* ~~have~~ access to the patient, witnesses, and records relevant to the presentation of the patient's case and shall represent the interests of the patient, regardless of the source of payment to the attorney.

(6)~~(5)~~ CONTINUANCE OF HEARING.—The patient *and the state are independently* ~~is~~ entitled~~, with the concurrence of the patient's counsel,~~ to *seek a* ~~at least one~~ continuance of the hearing. *The patient shall be granted a request for an initial continuance* for up to *7 calendar days. The patient may request additional continuances for up to 21 calendar days in total, which shall only be granted by a showing of good cause and due diligence by the patient and the patient's counsel before requesting the continuance. The state may request one continuance of up to 7 calendar days, which shall only be granted by a showing of good cause and due diligence by the state before requesting the continuance. The state's failure to timely review any readily available document or failure to attempt to contact a known witness does not warrant a continuance* ~~4 weeks~~.

(7)~~(6)~~ HEARING ON INVOLUNTARY *SERVICES* ~~INPATIENT PLACEMENT~~.—

(a)1. The court shall hold *a* ~~the~~ hearing on *the* involuntary *services petition* ~~inpatient placement~~ within 5 court working days *after the filing of the petition*, unless a continuance is granted.

2. *The court must hold any hearing on involuntary outpatient services in the county where the petition is filed. A hearing on involuntary inpatient placement, or a combination of involuntary inpatient placement and involuntary outpatient services,* ~~Except for good cause documented in the court file, the hearing~~ must be held in the county or the facility, as appropriate, where the patient is located, *except for good cause documented in the court file.*

3. A hearing on involuntary services must be as convenient to the patient as is consistent with orderly procedure, and shall be conducted in physical settings not likely to be injurious to the patient's condition. If the court finds that the patient's attendance at the hearing is not consistent with the best interests of the patient, *or the patient knowingly, intelligently, and voluntarily waives his or her right to be present,* and *if* the patient's counsel does not object, the court may waive the *attendance* ~~presence~~ of the patient from all or any portion of the hearing. The state attorney for the circuit in which the patient is located shall represent the state, rather than the *petitioner, as the real party in interest in the proceeding. The facility or service provider shall make the patient's clinical records available to the state attorney and the patient's attorney so that the state can evaluate and prepare its case. However, these records shall remain confidential, and the state attorney may not use any record obtained under this part for criminal investigation or prosecution purposes, or for any purpose other than the patient's civil commitment under this chapter* ~~petitioning facility administrator, as the real party in interest in the proceeding~~.

(b)~~3.~~ The court may appoint a magistrate to preside at the hearing. *If all parties agree, the state attorney and witnesses may remotely attend and, as appropriate, testify at the hearing under oath via audio-video teleconference. A witness intending to attend remotely and testify must provide the parties with all relevant documents by the close of business on the day before the hearing*. One of the professionals who executed the ~~petition for~~ involuntary *services* ~~inpatient placement~~ certificate shall be a witness. The patient and the patient's guardian or representative shall be informed by the court of the right to an independent expert examination. If the patient cannot afford such an examination, the court shall ensure that one is provided, as otherwise provided for by law. The independent expert's report is confidential and not discoverable, unless the expert is to be called as a witness for the patient at the hearing. *The court shall allow testimony from persons, including family members, deemed by the court to be relevant under state law, regarding the person's prior history and how that prior history relates to the person's current condition.* The testimony in the hearing must be given under oath, and the proceedings must be recorded. The patient may refuse to testify at the hearing.

(c)~~(b)~~ *At the hearing, the court shall consider testimony and evidence regarding the patient's competence to consent to services and treatment. If the court finds that the patient is incompetent to consent to treatment, it must appoint a guardian advocate as provided in s. 394.4598.*

(8) ORDERS OF THE COURT.—

(a)1. If the court concludes that the patient meets the criteria for involuntary *services, the court may order a patient to involuntary* inpatient placement, *involuntary outpatient services, or a combination of involuntary services depending on the criteria met and which type of involuntary services best meet the needs of the patient. However, if the court orders the patient to involuntary outpatient services, the court may not order the department or the service provider to provide services if the program or service is not available in the patient's local community, if there is no space available in the program or service for the patient, or if funding is not available for the program or service. The petitioner must notify the managing entity if the requested services are not available. The managing entity must document such efforts to obtain the requested services. A copy of the order must be sent to the managing entity by the service provider within 1 working day after it is received from the court.*

2. The order must specify the nature and extent of the patient's mental illness and the reasons the appropriate involuntary services criteria are satisfied.

3. An order for only involuntary outpatient services, involuntary inpatient placement, or of a combination of involuntary services may be for a period of up to 6 months.

4. An order for a combination of involuntary services must specify the length of time the patient shall be ordered for involuntary inpatient placement and involuntary outpatient services.

5. The order of the court and the patient's services plan, if applicable, must be made part of the patient's clinical record.

(b) If the court orders a patient into involuntary inpatient placement, the court ~~it~~ may order that the patient be *retained at a receiving facility while awaiting transfer* transferred to a treatment facility, or~~,~~ if the patient is at a treatment facility, that the patient be retained there or be treated at any other appropriate facility, or that the patient receive services~~,~~ on an involuntary basis, for up to ~~90 days~~. ~~However, any order for involuntary mental health services in a treatment facility may be for up to~~ 6 months. ~~The order shall specify the nature and extent of the patient's mental illness.~~ The court may not order an individual with *a developmental disability as defined in s. 393.063 or a* traumatic brain injury or dementia who lacks a co-occurring mental illness to be involuntarily placed in a state treatment facility. ~~The facility shall discharge a patient any time the patient no longer meets the criteria for involuntary inpatient placement, unless the patient has transferred to voluntary status.~~

(c) If at any time before the conclusion of *a* ~~the~~ hearing on involuntary *services,* ~~inpatient placement~~ it appears to the court that the *patient* ~~person does not meet the criteria for involuntary inpatient placement under this section, but~~ instead meets the criteria for involuntary ~~outpatient services, the court may order the person evaluated for involuntary outpatient services pursuant to s. 394.4655. The petition and hearing procedures set forth in s. 394.4655 shall apply. If the person instead meets the criteria for involuntary assessment, protective custody, or involuntary~~ admission *or treatment* pursuant to s. 397.675, then the court may order the person to be admitted for involuntary assessment ~~for a period of 5 days~~ pursuant to *s. 397.6757* ~~s. 397.6811~~. Thereafter, all proceedings are governed by chapter 397.

~~(d) At the hearing on involuntary inpatient placement, the court shall consider testimony and evidence regarding the patient's competence to consent to treatment. If the court finds that the patient is incompetent to consent to treatment, it shall appoint a guardian advocate as provided in s. 394.4598.~~

(d)~~(c)~~ The administrator of the petitioning facility *or the designated department representative* shall provide a copy of the court order and adequate documentation of a patient's mental illness to the *service provider for involuntary outpatient services or the* administrator of a treatment facility if the patient is ordered for involuntary inpatient placement~~, whether by civil or criminal court~~. The documentation must include any advance directives made by the patient, a psychiatric evaluation of the patient, and any evaluations of the patient performed

by a psychiatric nurse, a clinical psychologist, a marriage and family therapist, a mental health counselor, or a clinical social worker. The administrator of a treatment facility may refuse admission to any patient directed to its facilities on an involuntary basis, whether by civil or criminal court order, who is not accompanied by adequate orders and documentation.

(e) In cases resulting in an order for involuntary outpatient services, the court shall retain jurisdiction over the case and the parties for entry of further orders as circumstances may require, including, but not limited to, monitoring compliance with treatment or ordering inpatient treatment to stabilize a person who decompensates while under court-ordered outpatient treatment and meets the commitment criteria of s. 394.467.

(9) SERVICES PLAN MODIFICATION.—After the order for involuntary outpatient services is issued, the service provider and the patient may modify the services plan as provided by department rule.

(10) NONCOMPLIANCE WITH INVOLUNTARY OUTPATIENT SERVICES.—

(a) If, in the clinical judgment of a physician, a psychiatrist, a clinical psychologist with at least 3 years of clinical experience, or a psychiatric nurse practicing within the framework of an established protocol with a psychiatrist, a patient receiving involuntary outpatient services has failed or has refused to comply with the services plan ordered by the court, and efforts were made to solicit compliance, the service provider must report such noncompliance to the court. The involuntary outpatient services order shall remain in effect unless the service provider determines that the patient no longer meets the criteria for involuntary outpatient services or until the order expires. The service provider must determine whether modifications should be made to the existing services plan and must attempt to continue to engage the patient in treatment. For any material modification of the services plan to which the patient or the patient's guardian advocate, if applicable, agrees, the service provider shall send notice of the modification to the court. Any material modifications of the services plan which are contested by the patient or the patient's guardian advocate, if applicable, must be approved or disapproved by the court.

(b) A county court may not use incarceration as a sanction for noncompliance with the services plan, but it may order an individual evaluated for possible inpatient placement if there is significant, or are multiple instances of, noncompliance.

(11)~~(7)~~ PROCEDURE FOR CONTINUED INVOLUNTARY *SERVICES* ~~INPATIENT PLACEMENT~~.—

(a) A petition for continued involuntary services must be filed if the patient continues to meets the criteria for involuntary services.

(b)1. If a patient receiving involuntary outpatient services continues to meet the criteria for involuntary outpatient services, the service provider must file in the court that issued the initial order for involuntary outpatient services a petition for continued involuntary outpatient services.

2. If a patient in involuntary inpatient placement

~~(a) Hearings on petitions for continued involuntary inpatient placement of an individual placed at any treatment facility are administrative hearings and must be conducted in accordance with s. 120.57(1), except that any order entered by the administrative law judge is final and subject to judicial review in accordance with s. 120.68. Orders concerning patients committed after successfully pleading not guilty by reason of insanity are governed by s. 916.15.~~

~~(b) If the patient~~ continues to meet the criteria for involuntary *services* ~~inpatient placement~~ and is being treated at a *receiving* ~~treatment~~ facility, the administrator *must* ~~shall~~, before the expiration of the period the *receiving* ~~treatment~~ facility is authorized to retain the patient, file *in the court that issued the initial order for involuntary inpatient placement,* a petition requesting authorization for continued involuntary *services* ~~inpatient placement~~. *The administrator may petition for inpatient or outpatient services.*

3. If a patient in inpatient placement continues to meet the criteria for involuntary services and is being treated at a treatment facility, the administrator must, before expiration of the period the treatment facility is authorized to retain the patient, file a petition requesting authorization for continued involuntary services. The administrator may petition for inpatient or outpatient services. Hearings on petitions for continued involuntary services of an individual placed at any treatment facility are administrative hearings and must be conducted in accordance with s. 120.57(1), except that any order entered by the judge is final and subject to judicial review in accordance with s. 120.68. Orders concerning patients committed after successfully pleading not guilty by reason of insanity are governed by s. 916.15.

4. The court shall immediately schedule a hearing on the petition to be held within 15 days after the petition is filed.

5. The existing involuntary services order shall remain in effect until disposition on the petition for continued involuntary services.

(c) The *petition* ~~request~~ must be accompanied by a statement from the patient's physician, psychiatrist, psychiatric nurse, or clinical psychologist justifying the request, a brief description of the patient's treatment during the time he or she was *receiving involuntary services* ~~involuntarily placed~~, and an individualized plan of continued treatment *developed in consultation with the patient or the patient's guardian advocate, if applicable. If the petition is for involuntary outpatient services, it must comply with the requirements of subparagraph (4)(d)3. When the petition has been filed, the clerk of the court shall provide copies of the petition and the individualized plan of continued services to the department, the patient, the patient's guardian advocate, the state attorney, and the patient's private counsel or the public defender.*

(d) The court shall appoint counsel to represent the person who is the subject of the petition for continued involuntary services in accordance to the provisions set forth in subsection (5), unless the person is otherwise represented by counsel or ineligible.

(e) Hearings on petitions for continued involuntary outpatient services must be before the court that issued the order for involuntary outpatient services. However, the patient and the patient's attorney may agree to a period of continued outpatient services without a court hearing.

(f) Hearings on petitions for continued involuntary inpatient placement in receiving facilities, or involuntary outpatient services following involuntary inpatient services, must be held in the county or the facility, as appropriate, where the patient is located.

(g) The court may appoint a magistrate to preside at the hearing. The procedures for obtaining an order pursuant to this paragraph must meet the requirements of subsection (7).

(h) Notice of the hearing must be provided as *set forth* ~~provided~~ in s. 394.4599.

(i) If a patient's attendance at the hearing is voluntarily waived, the ~~administrative law~~ judge must determine that the *patient knowingly, intelligently, and voluntarily waived his or her right to be present,* ~~waiver is knowing and voluntary~~ before waiving the presence of the patient from all or a portion of the hearing. Alternatively, if at the hearing the ~~administrative law~~ judge finds that attendance at the hearing is not consistent with the best interests of the patient, the ~~administrative law~~ judge may waive the presence of the patient from all or any portion of the hearing, unless the patient, through counsel, objects to the waiver of presence. The testimony in the hearing must be under oath~~,~~ and the proceedings must be recorded.

~~(c) Unless the patient is otherwise represented or is ineligible, he or she shall be represented at the hearing on the petition for continued involuntary inpatient placement by the public defender of the circuit in which the facility is located.~~

(j)~~(d)~~ If at a hearing it is shown that the patient continues to meet the criteria for involuntary *services* ~~inpatient placement~~, the *court* ~~administrative law judge~~ shall *issue an* ~~sign the~~ order for continued involuntary *outpatient services,* ~~inpatient placement for up to 90 days. However, any order for~~ involuntary *inpatient placement, or* ~~mental health services in~~ a *combination of involuntary services* ~~treatment facility may be~~ for up to 6 months. The same procedure shall be repeated before the expiration of each additional period the patient is retained.

(k) If the patient has been ordered to undergo involuntary services and has previously been found incompetent to consent to treatment, the court shall consider testimony and evidence regarding the patient's competence. If the patient's competency to consent to treatment is restored, the discharge of the guardian advocate is governed by s. 394.4598. If the patient has been ordered to undergo involuntary inpatient placement only and the patient's competency to consent to treatment is restored, the administrative law judge may issue a recommended order, to the court that found the patient incompetent to consent to treatment, that the patient's competence be restored and that any guardian advocate previously appointed be discharged.

(l)~~(c)~~ If continued involuntary inpatient placement is necessary for a patient *in involuntary inpatient placement who was* admitted while serving a criminal sentence, but his or her sentence is about to expire, or for a minor involuntarily placed, but who is about to reach the age of 18, the administrator shall petition the administrative law judge for an order authorizing continued involuntary inpatient placement.

The procedure required in this subsection must be followed before the expiration of each additional period the patient is involuntarily receiving services.

(12)~~(8)~~ RETURN TO FACILITY.—If a patient *has been ordered to undergo involuntary inpatient placement* ~~involuntarily held~~ at a *receiving or* treatment facility under this part *and* leaves the facility without the administrator's authorization, the administrator may authorize a search for the patient and his or her return to the facility. The administrator may request the assistance of a law enforcement agency in this regard.

(13) DISCHARGE.—The patient shall be discharged upon expiration of the court order or at any time the patient no longer meets the criteria for involuntary services, unless the patient has transferred to voluntary status. Upon discharge, the service provider or facility shall send a certificate of discharge to the court.

Section 12. Subsection (2) of section 394.468, Florida Statutes, is amended, and subsection (3) is added to that section, to read:

394.468 Admission and discharge procedures.—

(2) Discharge planning and procedures for any patient's release from a receiving facility or treatment facility must include and document *the patient's needs, and actions to address such needs, for* ~~consideration of~~, at a minimum:

(a) Follow-up behavioral health appointments;

(b) Information on how to obtain prescribed medications; and

(c) Information pertaining to:

1. Available living arrangements;

2. Transportation; and

(d) Referral to:

1. Care coordination services. The patient must be referred for care coordination services if the patient meets the criteria as a member of a priority population as determined by the department under s. 394.9082(3)(c) and is in need of such services.

2.~~3.~~ Recovery support opportunities *under s. 394.4573(2)(l), including, but not limited to, connection to a peer specialist*.

(3) During the discharge transition process and while the patient is present unless determined inappropriate by a physician or psychiatric nurse practicing within the framework of an established protocol with a psychiatrist a receiving facility shall coordinate, face-to-face or through electronic means, discharge plans to a less restrictive community behavioral health provider, a peer specialist, a case manager, or a care coordination service. The transition process must, at a minimum, include all of the following criteria:

(a) Implementation of policies and procedures outlining strategies for how the receiving facility will comprehensively address the needs of patients who demonstrate a high use of receiving facility services to avoid or reduce future use of crisis stabilization services. For any such patient, policies and procedures must include, at a minimum, a review of the effectiveness of previous discharge plans created by the facility for the patient, and the new discharge plan must address problems experienced with implementation of previous discharge plans.

(b) Developing and including in discharge paperwork a personalized crisis prevention plan that identifies stressors, early warning signs or symptoms, and strategies to deal with crisis.

(c) Requiring a staff member to seek to engage a family member, legal guardian, legal representative, or natural support in discharge planning and meet face to face or through electronic means to review the discharge instructions, including prescribed medications, follow-up appointments, and any other recommended services or follow-up resources, and document the outcome of such meeting.

(d) When the recommended level of care at discharge is not immediately available to the patient, the receiving facility must, at a minimum, initiate a referral to an appropriate provider to meet the needs of the patient to continue care until the recommended level of care is available.

Section 13. Section 394.4915, Florida Statutes, is created to read:

394.4915 Office of Children's Behavioral Health Ombudsman.—The Office of Children's Behavioral Health Ombudsman is established within the department for the purpose of being a central point to receive complaints on behalf of children and adolescents with behavioral health disorders receiving state-funded services and use such information to improve the child and adolescent mental health treatment and support system. The department and managing entities shall include information about and contact information for the office placed prominently on their websites on easily accessible web pages related to children and adolescent behavioral health services. To the extent permitted by available resources, the office shall, at a minimum:

(1) Receive and direct to the appropriate contact within the department, the Agency for Health Care Administration, or the appropriate organizations providing behavioral health services complaints from children and adolescents and their families about the child and adolescent mental health treatment and support system.

(2) Maintain records of complaints received and the actions taken.

(3) Be a resource to identify and explain relevant policies or procedures to children, adolescents, and their families about the child and adolescent mental health treatment and support system.

(4) Provide recommendations to the department to address systemic problems within the child and adolescent mental health treatment and support system that are leading to complaints. The department shall include an analysis of complaints and recommendations in the report required under s. 394.4573.

(5) Engage in functions that may improve the child and adolescent mental health treatment and support system.

Section 14. Subsection (3) of section 394.495, Florida Statutes, is amended to read:

394.495 Child and adolescent mental health system of care; programs and services.—

(3) Assessments must be performed by:

(a) A *clinical psychologist, clinical social worker, physician, psychiatric nurse, or psychiatrist, as those terms are defined in s. 394.455* ~~professional as defined in s. 394.455(5), (7), (33), (36), or (37)~~;

(b) A professional licensed under chapter 491; or

(c) A person who is under the direct supervision of a *clinical psychologist, clinical social worker, physician, psychiatric nurse, or psychiatrist, as those terms are defined in s. 394.455,* ~~qualified professional as defined in s. 394.455(5), (7), (33), (36), or (37)~~ or a professional licensed under chapter 491.

Section 15. Subsection (5) of section 394.496, Florida Statutes, is amended to read:

394.496 Service planning.—

(5) A *clinical psychologist, clinical social worker, physician, psychiatric nurse, or psychiatrist, as those terms are defined in s. 394.455,* ~~professional as defined in s. 394.455(5), (7), (33), (36), or (37)~~ or a professional licensed under chapter 491 must be included among those persons developing the services plan.

Section 16. Paragraph (a) of subsection (2) of section 394.499, Florida Statutes, is amended to read:

394.499 Integrated children's crisis stabilization unit/juvenile addictions receiving facility services.—

(2) Children eligible to receive integrated children's crisis stabilization unit/juvenile addictions receiving facility services include:

(a) A *minor whose parent makes* ~~person under 18 years of age for whom~~ voluntary application *based on the parent's express and informed consent, and the requirements of s. 394.4625(1)(a) are met* ~~is made by his or her guardian, if such person is found to show evidence of mental illness and to be suitable for treatment pursuant to s. 394.4625. A person under 18 years of age may be admitted for integrated facility services only after a hearing to verify that the consent to admission is voluntary~~.

Section 17. Paragraphs (a) and (d) of subsection (1) of section 394.875, Florida Statutes, are amended to read:

394.875 Crisis stabilization units, residential treatment facilities, and residential treatment centers for children and adolescents; authorized services; license required.—

(1)(a) The purpose of a crisis stabilization unit is to stabilize and redirect a client to the most appropriate and least restrictive community setting available, consistent with the client's needs. Crisis stabilization units may screen, assess, and admit for stabilization persons who present themselves to the unit and persons who are brought to the unit under s. 394.463. Clients may be provided 24-hour observation, medication prescribed by a physician*,* ~~or~~ psychiatrist*, or psychiatric nurse practicing within the framework of an established protocol with a psychiatrist,* and other appropriate services. Crisis stabilization units shall provide services regardless of the client's ability to pay ~~and shall be limited in size to a maximum of 30 beds~~.

~~(d) The department is directed to implement a demonstration project in circuit 18 to test the impact of expanding beds authorized in crisis stabilization units from 30 to 50 beds. Specifically, the department is directed to authorize existing public or private crisis stabilization units in circuit 18 to expand bed capacity to a maximum of 50 beds and to assess the impact such expansion would have on the availability of crisis stabilization services to clients.~~

Section 18. Section 394.90826, Florida Statutes, is created to read:

394.90826 Behavioral Health Interagency Collaboration.—

(1) The department and the Agency for Health Care Administration shall jointly establish behavioral health interagency collaboratives throughout the state with the goal of identifying and addressing ongoing challenges within the behavioral health system at the local level to improve the accessibility, availability, and quality of behavioral health services. The objectives of the regional collaboratives are to:

(a) Facilitate enhanced interagency communication and collaboration.

(b) Develop and promote regional strategies tailored to address community-level challenges in the behavioral health system.

(2) The regional collaborative membership shall at a minimum be composed of representatives from all of the following, serving the region:

(a) Department of Children and Families.

(b) Agency for Health Care Administration.

(c) Agency for Persons with Disabilities.

(d) Department of Elder Affairs.

(e) Department of Health.

(f) Department of Education.

(g) School districts.

(h) Area agencies on aging.

(i) Community-based care lead agencies, as defined in s. 409.986(3)(d).

(j) Managing entities, as defined in s. 394.9082(2).

(k) Behavioral health services providers.

(l) Hospitals.

(m) Medicaid Managed Medical Assistance Plans.

(n) Police departments.

(o) Sheriffs' offices.

(3) Each regional collaborative shall define the objectives of that collaborative based upon the specific needs of the region and local communities located within the region, to achieve the specified goals.

(4) The department shall define the region to be served by each collaborative and shall be responsible for facilitating meetings.

(5) All entities represented on the regional collaboratives shall provide assistance as appropriate and reasonably necessary to fulfill the goals of the regional collaboratives.

Section 19. Subsection (6) of section 394.9085, Florida Statutes, is amended to read:

394.9085 Behavioral provider liability.—

(6) For purposes of this section, the terms "detoxification ~~services~~," "addictions receiving facility," and "receiving facility" have the same meanings as those provided in ss. *397.311(26)(a)4.* ~~397.311(26)(a)3.~~, 397.311(26)(a)1., and 394.455(40), respectively.

Section 20. Subsection (3) of section 397.305, Florida Statutes, is amended to read:

397.305 Legislative findings, intent, and purpose.—

(3) It is the purpose of this chapter to provide for a comprehensive continuum of accessible and quality substance abuse prevention, intervention, clinical treatment, and recovery support services in the *most appropriate and* least restrictive environment which promotes long-term recovery while protecting and respecting the rights of individuals, primarily through community-based private not-for-profit providers working with local governmental programs involving a wide range of agencies from both the public and private sectors.

Section 21. Subsections (19) and (23) of section 397.311, Florida Statutes, are amended to read:

397.311 Definitions.—As used in this chapter, except part VIII, the term:

(19) "Impaired" or "substance abuse impaired" means *having a substance use disorder or* a condition involving the use of alcoholic beverages*, illicit or prescription drugs,* or any psychoactive or mood-altering substance in such a manner as to induce mental, emotional, or physical problems *or* ~~and~~ cause socially dysfunctional behavior.

(23) "Involuntary *treatment* services" means an array of behavioral health services that may be ordered by the court for persons with substance abuse impairment or co-occurring substance abuse impairment and mental health disorders.

Section 22. Subsection (6) is added to section 397.401, Florida Statutes, to read:

397.401 License required; penalty; injunction; rules waivers.—

(6) A service provider operating an addictions receiving facility or providing detoxification on a nonhospital inpatient basis may not exceed its licensed capacity by more than 10 percent and may not exceed their licensed capacity for more than 3 consecutive working days or for more than 7 days in 1 month.

Section 23. Paragraph (i) is added to subsection (1) of section 397.4073, Florida Statutes, to read:

397.4073 Background checks of service provider personnel.—

(1) PERSONNEL BACKGROUND CHECKS; REQUIREMENTS AND EXCEPTIONS.—

(i) Any physician licensed under chapter 458 or chapter 459 or a nurse licensed under chapter 464 who was required to undergo background screening by the Department of Health as part of his or her initial licensure or the renewal of licensure, and who has an active and unencumbered license, is not subject to background screening pursuant to this section.

Section 24. Subsection (8) of section 397.501, Florida Statutes, is amended to read:

397.501 Rights of individuals.—Individuals receiving substance abuse services from any service provider are guaranteed protection of the rights specified in this section, unless otherwise expressly provided, and service providers must ensure the protection of such rights.

(8) RIGHT TO COUNSEL.—Each individual must be informed that he or she has the right to be represented by counsel in any *judicial* ~~involuntary~~ proceeding for *involuntary* ~~assessment, stabilization, or~~ treatment *services* and that he or she, or if the individual is a minor his or her parent, legal guardian, or legal custodian, may apply immediately to the court to have an attorney appointed if he or she cannot afford one.

Section 25. Section 397.581, Florida Statutes, is amended to read:

397.581 Unlawful activities relating to assessment and treatment; penalties.—

(1) *A person may not* knowingly *and willfully:*

(a) Furnish ~~furnishing~~ false information for the purpose of obtaining emergency or other involuntary admission *of another person* ~~for any person is a misdemeanor of the first degree, punishable as provided in s. 775.082 and by a fine not exceeding $5,000~~.

(b)~~(2)~~ *Cause or otherwise secure, or conspire with or assist another to cause or secure* ~~Causing or otherwise securing, or conspiring with or assisting another to cause or secure, without reason for believing a person to be impaired,~~ any emergency or other involuntary procedure *of another* ~~for the~~ person *under false pretenses* ~~is a misdemeanor of the first degree, punishable as provided in s. 775.082 and by a fine not exceeding $5,000~~.

(c)~~(3)~~ *Cause, or conspire with or assist another to cause, without lawful justification* ~~Causing, or conspiring with or assisting another to cause~~, the denial to any person of any right accorded pursuant to this chapter.

(2) A person who violates subsection (1) commits ~~is~~ a misdemeanor of the first degree, punishable as provided in s. 775.082 and by a fine not exceeding $5,000.

Section 26. Section 397.675, Florida Statutes, is amended to read:

397.675 Criteria for involuntary admissions, including protective custody, emergency admission, and other involuntary assessment, involuntary treatment, and alternative involuntary assessment for minors, for purposes of assessment and stabilization, and for involuntary treatment.—A person meets the criteria for involuntary admission if there is good faith reason to believe that the person is substance abuse impaired or has a *substance use disorder and a* co-occurring mental health disorder and, because of such impairment or disorder:

(1) Has lost the power of self-control with respect to substance abuse; and

(2)(a) Is in need of substance abuse services and, by reason of substance abuse impairment, his or her judgment has been so impaired that he or she is incapable of appreciating his or her need for such services and of making a rational decision in that regard, although mere refusal to receive such services does not constitute evidence of lack of judgment with respect to his or her need for such services; or

(b) Without care or treatment, is likely to suffer from neglect or refuse to care for himself or herself; that such neglect or refusal poses a real and present threat of substantial harm to his or her well-being; and that it is not apparent that such harm may be avoided through the help of willing*, able, and responsible* family members or friends or the provision of other services, or there is substantial likelihood that the person has inflicted, or threatened to or attempted to inflict, or, unless admitted, is likely to inflict, physical harm on himself, herself, or another.

Section 27. Subsection (1) of section 397.6751, Florida Statutes, is amended to read:

397.6751 Service provider responsibilities regarding involuntary admissions.—

(1) It is the responsibility of the service provider to:

(a) Ensure that a person who is admitted to a licensed service component meets the admission criteria specified in s. 397.675;

(b) Ascertain whether the medical and behavioral conditions of the person, as presented, are beyond the safe management capabilities of the service provider;

(c) Provide for the admission of the person to the service component that represents the *most appropriate and* least restrictive available setting that is responsive to the person's treatment needs;

(d) Verify that the admission of the person to the service component does not result in a census in excess of its licensed service capacity;

(e) Determine whether the cost of services is within the financial means of the person or those who are financially responsible for the person's care; and

(f) Take all necessary measures to ensure that each individual in treatment is provided with a safe environment, and to ensure that each individual whose medical condition or behavioral problem becomes such that he or she cannot be safely managed by the service component is discharged and referred to a more appropriate setting for care.

Section 28. Section 397.681, Florida Statutes, is amended to read:

397.681 Involuntary petitions; general provisions; court jurisdiction and right to counsel.—

(1) JURISDICTION.—The courts have jurisdiction of ~~involuntary assessment and stabilization petitions and~~ involuntary treatment petitions for substance abuse impaired persons, and such petitions must be filed with the clerk of the court in the county where the person is located. The clerk of the court may not charge a fee for the filing of a petition under this section. The chief judge may appoint a general or special magistrate to preside over all or part of the proceedings. The alleged impaired person is named as the respondent.

(2) RIGHT TO COUNSEL.—A respondent has the right to counsel at every stage of a *judicial* proceeding relating to a petition for his or her ~~involuntary assessment and a petition for his or her~~ involuntary treatment for substance abuse impairment*; however, the respondent may waive that right if the respondent is present and the court finds that such waiver is made knowingly, intelligently, and voluntarily*. A respondent who desires counsel and is unable to afford private counsel has the right to court-appointed counsel and to the benefits of s. 57.081. If the court believes that the respondent needs *or desires* the assistance of counsel, the court shall appoint such counsel for the respondent without regard to the respondent's wishes. If the respondent is a minor

not otherwise represented in the proceeding, the court shall immediately appoint a guardian ad litem to act on the minor's behalf.

Section 29. Section 397.693, Florida Statutes, is renumbered as section 397.68111, Florida Statutes, and amended to read:

397.68111 ~~397.693~~ Involuntary treatment.—A person may be the subject of a petition for court-ordered involuntary treatment pursuant to this part~~,~~ if that person*:*

(1) Reasonably appears to meet ~~meets~~ the criteria for involuntary admission provided in s. 397.675*;* ~~and:~~

(2)~~(1)~~ Has been placed under protective custody pursuant to s. 397.677 within the previous 10 days;

(3)~~(2)~~ Has been subject to an emergency admission pursuant to s. 397.679 within the previous 10 days; *or*

(4)~~(3)~~ Has been assessed by a qualified professional within *30* ~~5~~ days~~;~~

~~(4) Has been subject to involuntary assessment and stabilization pursuant to s. 397.6818 within the previous 12 days; or~~

~~(5) Has been subject to alternative involuntary admission pursuant to s. 397.6822 within the previous 12 days~~.

Section 30. Section 397.695, Florida Statutes, is renumbered as section 397.68112, Florida Statutes, and amended to read:

397.68112 ~~397.695~~ Involuntary services; persons who may petition.—

(1) If the respondent is an adult, a petition for involuntary *treatment* services may be filed by the respondent's spouse or legal guardian, any relative, a service provider, or an adult who has direct personal knowledge of the respondent's substance abuse impairment and his or her prior course of assessment and treatment.

(2) If the respondent is a minor, a petition for involuntary treatment *services* may be filed by a parent, legal guardian, or service provider.

(3) The court may prohibit, or a law enforcement agency may waive, any service of process fees if a petitioner is determined to be indigent.

Section 31. Section 397.6951, Florida Statutes, is renumbered as section 397.68141, Florida Statutes, and amended to read:

397.68141 ~~397.6951~~ Contents of petition for involuntary *treatment* services.—A petition for involuntary services must contain the name of the respondent; the name of the petitioner ~~or petitioners~~; the relationship between the respondent and the petitioner; the name of the respondent's attorney, if known; ~~the findings and recommendations of the assessment performed by the qualified professional;~~ and the factual allegations presented by the petitioner establishing the need for involuntary ~~outpatient~~ services *for substance abuse impairment*. The factual allegations must demonstrate:

(1) The reason for the petitioner's belief that the respondent is substance abuse impaired;

(2) The reason for the petitioner's belief that because of such impairment the respondent has lost the power of self-control with respect to substance abuse; and

(3)(a) The reason the petitioner believes that the respondent has inflicted or is likely to inflict physical harm on himself or herself or others unless the court orders the involuntary services; or

(b) The reason the petitioner believes that the respondent's refusal to voluntarily receive care is based on judgment so impaired by reason of substance abuse that the respondent is incapable of appreciating his or her need for care and of making a rational decision regarding that need for care.

(4) The petition may be accompanied by a certificate or report of a qualified professional who examined the respondent within 30 days before the petition was filed. The certificate or report must include the qualified professional's findings relating to his or her assessment of the patient and his or her treatment recommendations. If the respondent was not assessed before the filing of a treatment petition or refused to submit to an evaluation, the lack of assessment or refusal must be noted in the petition.

(5) If there is an emergency, the petition must also describe the respondent's exigent circumstances and include a request for an ex parte assessment and stabilization order that must be executed pursuant to s. 397.68151.

Section 32. Section 397.6955, Florida Statutes, is renumbered as section 397.68151, Florida Statutes, and amended to read:

397.68151 ~~397.6955~~ Duties of court upon filing of petition for involuntary services.—

(1) Upon the filing of a petition for involuntary services for a substance abuse impaired person with the clerk of the court, the court shall immediately determine whether the respondent is represented by an attorney or whether the appointment of counsel for the respondent is appropriate. If the court appoints counsel for the person, the clerk of the court shall immediately notify the office of criminal conflict and civil regional counsel, created pursuant to s. 27.511, of the appointment. The office of criminal conflict and civil regional counsel shall represent the person until the petition is dismissed, the court order expires, ~~or~~ the person is discharged from involuntary *treatment* services*, or the office is otherwise discharged by the court*. An attorney that represents the person named in the petition shall have access to the person, witnesses, and records relevant to the presentation of the person's case and shall represent the interests of the person, regardless of the source of payment to the attorney.

(2) The court shall schedule a hearing to be held on the petition within *10 court working* ~~5~~ days unless a continuance is granted. The court may appoint a magistrate to preside at the hearing.

(3) A copy of the petition and notice of the hearing must be provided to the respondent; the respondent's parent, guardian, or legal custodian, in the case of a minor; the respondent's attorney, if known; the petitioner; the respondent's spouse or guardian, if applicable; and such other persons as the court may direct. If the respondent is a minor, a copy of the petition and notice of the hearing must be personally delivered to the respondent. The *clerk* ~~court~~ shall also issue a summons to the person whose admission is sought *and unless a circuit court's chief judge authorizes disinterested private process servers to serve parties under this chapter, a law enforcement agency must effect such service on the person whose admission is sought for the initial treatment hearing*.

Section 33. Section 397.6818, Florida Statutes, is amended to read:

397.6818 Court determination.—

(1) When the petitioner asserts that emergency circumstances exist, or when upon review of the petition the court determines that an emergency exists, the court may rely solely on the contents of the petition and, without the appointment of an attorney, enter an ex parte order for the respondent's involuntary assessment and stabilization which must be executed during the period when the hearing on the petition for treatment is pending.

(2) The court may further order a law enforcement officer or another designated agent of the court to:

(a) Take the respondent into custody and deliver him or her for evaluation to either the nearest appropriate licensed service provider or a licensed service provider designated by the court.

(b) Serve the respondent with the notice of hearing and a copy of the petition.

(3) The service provider may not hold the respondent for longer than 72 hours of observation, unless:

(a) The service provider seeks additional time under s. 397.6957(1)(c) and the court, after a hearing, grants that motion;

(b) The respondent shows signs of withdrawal, or a need to be either detoxified or treated for a medical condition, which shall extend the

amount of time the respondent may be held for observation until the issue is resolved but no later than the scheduled hearing date, absent a court-approved extension; or

(c) The original or extended observation period ends on a weekend or holiday, including the hours before the ordinary business hours of the following workday morning, in which case the provider may hold the respondent until the next court working day.

(4) If the ex parte order was not executed by the initial hearing date, it is deemed void. However, if the respondent does not appear at the hearing for any reason, including lack of service, and upon reviewing the petition, testimony, and evidence presented, the court reasonably believes the respondent meets this chapter's commitment criteria and that a substance abuse emergency exists, the court may issue or reissue an ex parte assessment and stabilization order that is valid for 90 days. If the respondent's location is known at the time of the hearing, the court:

(a) Must continue the case for no more than 10 court working days; and

(b) May order a law enforcement officer or another designated agent of the court to:

1. Take the respondent into custody and deliver him or her for evaluation to either the nearest appropriate licensed service provider or a licensed service provider designated by the court; and

2. If a hearing date is set, serve the respondent with notice of the rescheduled hearing and a copy of the involuntary treatment petition if the respondent has not already been served.

Otherwise, the petitioner must inform the court that the respondent has been assessed so that the court may schedule a hearing as soon as is practicable. However, if the respondent has not been assessed within 90 days, the court must dismiss the case. ~~At the hearing initiated in accordance with s. 397.6811(1), the court shall hear all relevant testimony. The respondent must be present unless the court has reason to believe that his or her presence is likely to be injurious to him or her, in which event the court shall appoint a guardian advocate to represent the respondent. The respondent has the right to examination by a court-appointed qualified professional. After hearing all the evidence, the court shall determine whether there is a reasonable basis to believe the respondent meets the involuntary admission criteria of s. 397.675.~~

~~(1) Based on its determination, the court shall either dismiss the petition or immediately enter an order authorizing the involuntary assessment and stabilization of the respondent; or, if in the course of the hearing the court has reason to believe that the respondent, due to mental illness other than or in addition to substance abuse impairment, is likely to injure himself or herself or another if allowed to remain at liberty, the court may initiate involuntary proceedings under the provisions of part I of chapter 394.~~

~~(2) If the court enters an order authorizing involuntary assessment and stabilization, the order shall include the court's findings with respect to the availability and appropriateness of the least restrictive alternatives and the need for the appointment of an attorney to represent the respondent, and may designate the specific licensed service provider to perform the involuntary assessment and stabilization of the respondent. The respondent may choose the licensed service provider to deliver the involuntary assessment where possible and appropriate.~~

~~(3) If the court finds it necessary, it may order the sheriff to take the respondent into custody and deliver him or her to the licensed service provider specified in the court order or, if none is specified, to the nearest appropriate licensed service provider for involuntary assessment.~~

~~(4) The order is valid only for the period specified in the order or, if a period is not specified, for 7 days after the order is signed.~~

Section 34. Section 397.6957, Florida Statutes, is amended to read:

397.6957 Hearing on petition for involuntary *treatment* services.—

(1)*(a) The respondent must be present* at a hearing on a petition for involuntary *treatment* services~~,~~ *unless the court finds that he or she knowingly, intelligently, and voluntarily waives his or her right to be present or, upon receiving proof of service and evaluating the circumstances of the case, that his or her presence is inconsistent with his or her best interests or is likely to be injurious to self or others.* The court shall hear and review all relevant evidence, including *testimony from individuals such as family members familiar with the respondent's prior history and how it relates to his or her current condition, and* the ~~review of~~ results of the assessment completed by the qualified professional in connection with *this chapter. The court may also order drug tests. Witnesses may remotely attend and, as appropriate, testify*

And the title is amended as follows:

Delete line 89 and insert: hearing in certain circumstances through specified means; providing

Senator Grall moved the following amendment to **Amendment 1 (651394)** which was adopted:

Amendment 1A (189628)—Delete line 794 and insert:
hearing. *The state attorney and witnesses*

Amendment 1 (651394), as amended, was adopted.

Pursuant to Rule 4.19, **CS for CS for HB 7021**, as amended, was placed on the calendar of Bills on Third Reading.

MOTIONS

On motion by Senator Mayfield, the rules were waived and time of adjournment was extended until completion of today's business.

CS for SB 1640—A bill to be entitled An act relating to payments for health care services; amending s. 95.11, F.S.; establishing a 3-year statute of limitations for an action to collect medical debt for services rendered by certain health care facilities; creating s. 222.26, F.S.; providing additional personal property exemptions from legal process for medical debts resulting from services provided in certain licensed facilities; amending s. 395.301, F.S.; requiring certain licensed facilities to post on their respective websites a consumer-friendly list of standard charges for a minimum number of shoppable health care services; requiring the facilities to provide such information in an alternative format as requested by the patient; defining terms; requiring licensed facilities to provide a good faith estimate of reasonably anticipated charges to the patient's health insurer and the patient, prospective patient, or patient's legal guardian within specified timeframes; requiring such facilities to provide the estimate in the manner selected by the patient, prospective patient, or patient's legal guardian; revising notification requirements for such estimates to include notification of a patient's legal guardian, if any; deleting the requirement that licensed facilities educate the public on the availability of such estimates upon request; revising a penalty; deleting construction; requiring licensed facilities to establish an internal grievance process for patients to submit grievances, including to dispute charges; requiring licensed facilities to make available on their respective websites information necessary for initiating a grievance; requiring licensed facilities to respond to a patient grievance within a specified timeframe; requiring licensed facilities to disclose certain information to patients, prospective patients, and patients' legal guardians, as applicable; providing a civil penalty; creating s. 395.3011, F.S.; defining the term "extraordinary collection action"; prohibiting licensed facilities from engaging in extraordinary collection actions against individuals to obtain payment for services under specified circumstances; amending s. 624.27, F.S.; revising the definition of the term "health care provider" for purposes of direct health care agreements; creating s. 627.446, F.S.; defining the term "health insurer"; requiring health insurers to provide an insured with an advanced explanation of benefits after receiving a patient estimate from a facility for scheduled services; providing requirements for the advanced explanation of benefits; creating s. 627.447, F.S.; prohibiting health insurers from prohibiting providers from disclosing certain information to an insured; defining the term "discounted cash price"; amending s. 627.6387, F.S.; revising the definitions of the terms "health insurer" and "shared savings incentive" to conform to changes made by the act; requiring, rather than authorizing, health insurers to offer a shared savings incentive program under certain circumstances; requiring that a certain notification required of health insurers include specified information; providing that a shared savings incentive offered

by a health insurer constitutes a medical expense for purposes of rate development and rate filing; amending ss. 627.6648 and 641.31076, F.S.; providing that a shared savings incentive offered by a health insurer or health maintenance organization, respectively, constitutes a medical expense for rate development and rate filing purposes; amending ss. 475.01, 475.611, 517.191, 768.28, and 787.061, F.S.; conforming cross-references; providing applicability; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1640**, pursuant to Rule 3.11(3), there being no objection, **HB 7089** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Collins—

HB 7089—A bill to be entitled An act relating to health care expenses; amending s. 95.11, F.S.; establishing a 3-year statute of limitations for an action to collect medical debt for services rendered by a health care provider or facility; creating s. 222.26, F.S.; providing additional personal property exemptions from legal process for medical debts resulting from services provided in certain licensed facilities; amending s. 395.301, F.S.; requiring a licensed facility to post on its website a consumer-friendly list of standard charges for a minimum number of shoppable health care services or a price estimator tool meeting certain requirements; providing definitions; requiring a licensed facility to provide an estimate to a patient or prospective patient and the patient's health insurer within specified timeframes; requiring a licensed facility to establish an internal grievance process for patients to dispute charges; requiring a facility to make available information necessary for initiating a grievance; requiring a facility to respond to a patient grievance within a specified timeframe; requiring a licensed facility to disclose specified information relating to cost-sharing obligations to certain persons; providing a penalty; creating s. 395.3011, F.S.; defining the term "extraordinary collection action"; prohibiting certain collection activities by a licensed facility; amending s. 624.27, F.S.; revising the definitions of "health care provider"; creating s. 627.446, F.S.; defining the term "health insurer"; requiring each health insurer to provide an insured with an advanced explanation of benefits after receiving a patient estimate from a facility for scheduled services; providing requirements for the advanced explanation of benefits; amending s. 627.6387, F.S.; revising a definition; providing that a shared savings incentive constitutes a medical expense for rate development and rate filing purposes; amending ss. 627.6648 and 641.31076, F.S.; providing that a shared savings incentive offered by a health insurer or health maintenance organization constitutes a medical expense for rate development and rate filing purposes; amending ss. 475.01, 475.611, 517.191, 768.28, and 787.061 F.S.; conforming provisions to changes made by the act; providing applicability; providing an effective date.

—a companion measure, was substituted for **CS for SB 1640** and read the second time by title.

Senator Collins moved the following amendment which was adopted:

Amendment 1 (930240) (with title amendment)—Delete lines 149-424 and insert:
condition. The facility ~~must provide the estimate to the patient or prospective patient within 7 business days after the receipt of the request and~~ is not required to adjust the estimate for any potential insurance coverage. *The facility must provide the estimate to the patient's health insurer, as defined in s. 627.446(1), and the patient at least 3 business days before the date such service is to be provided, but no later than 1 business day after the date such service is scheduled or, in the case of a service scheduled at least 10 business days in advance, no later than 3 business days after the date the service is scheduled. The facility must provide the estimate to the patient no later than 3 business days after the date the patient requests an estimate.* The estimate may be based on the descriptive service bundles developed by the agency under s. 408.05(3)(c) unless the patient or prospective patient requests a more personalized and specific estimate that accounts for the specific condition and characteristics of the patient or prospective patient. The facility shall inform the patient or prospective patient that he or she may contact his or her health insurer ~~or health maintenance organization~~ for additional information concerning cost-sharing responsibilities.

2. In the estimate, the facility shall provide to the patient or prospective patient information on the facility's financial assistance policy, including the application process, payment plans, and discounts and the facility's charity care policy and collection procedures.

3. The estimate shall clearly identify any facility fees and, if applicable, include a statement notifying the patient or prospective patient that a facility fee is included in the estimate, the purpose of the fee, and that the patient may pay less for the procedure or service at another facility or in another health care setting.

4. ~~Upon request,~~ The facility shall notify the patient or prospective patient of any revision to the estimate.

5. In the estimate, the facility must notify the patient or prospective patient that services may be provided in the health care facility by the facility as well as by other health care providers that may separately bill the patient, if applicable.

~~6. The facility shall take action to educate the public that such estimates are available upon request.~~

6.~~7.~~ Failure to timely provide the estimate pursuant to this paragraph shall result in a daily fine of $1,000 until the estimate is provided to the patient or prospective patient *and the health insurer*. The total fine *per patient estimate* may not exceed $10,000.

~~The provision of an estimate does not preclude the actual charges from exceeding the estimate.~~

(6) Each facility shall establish an internal process for reviewing and responding to grievances from patients. Such process must allow a patient to dispute charges that appear on the patient's itemized statement or bill. The facility shall prominently post on its website and indicate in bold print on each itemized statement or bill the instructions for initiating a grievance and the direct contact information required to initiate the grievance process. The facility must provide an initial response to a patient grievance within 7 business days after the patient formally files a grievance disputing all or a portion of an itemized statement or bill.

(7) Each licensed facility shall disclose to a patient, a prospective patient, or a patient's legal guardian whether a cost-sharing obligation for a particular covered health care service or item exceeds the charge that applies to an individual who pays cash or the cash equivalent for the same health care service or item in the absence of health insurance coverage. Failure to provide a disclosure in compliance with this subsection may result in a fine not to exceed $500 per incident.

Section 4. Section 395.3011, Florida Statutes, is created to read:

395.3011 Billing and collection activities.—

(1) As used in this section, the term "extraordinary collection action" means any of the following actions taken by a licensed facility against an individual in relation to obtaining payment of a bill for care covered under the facility's financial assistance policy:

(a) Selling the individual's debt to another party.

(b) Reporting adverse information about the individual to consumer credit reporting agencies or credit bureaus.

(c) Deferring, denying, or requiring a payment before providing medically necessary care because of the individual's nonpayment of one or more bills for previously provided care covered under the facility's financial assistance policy.

(d) Actions that require a legal or judicial process, including, but not limited to:

1. Placing a lien on the individual's property;

2. Foreclosing on the individual's real property;

3. Attaching or seizing the individual's bank account or any other personal property;

4. Commencing a civil action against the individual;

5. Causing the individual's arrest; or

6. Garnishing the individual's wages.

(2) A facility may not engage in an extraordinary collection action against an individual to obtain payment for services:

(a) Before the facility has made reasonable efforts to determine whether the individual is eligible for assistance under its financial assistance policy for the care provided and, if eligible, before a decision is made by the facility on the patient's application for such financial assistance.

(b) Before the facility has provided the individual with an itemized statement or bill.

(c) During an ongoing grievance process as described in s. 395.301(6) or an ongoing appeal of a claim adjudication.

(d) Before billing any applicable insurer and allowing the insurer to adjudicate a claim.

(e) For 30 days after notifying the patient in writing, by certified mail, or by other traceable delivery method, that a collection action will commence absent additional action by the patient.

(f) While the individual:

1. Negotiates in good faith the final amount of a bill for services rendered; or

2. Complies with all terms of a payment plan with the facility.

Section 5. Paragraph (b) of subsection (1) of section 624.27, Florida Statutes, is amended to read:

624.27 Direct health care agreements; exemption from code.—

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

(b) "Health care provider" means a health care provider licensed under chapter 458, chapter 459, chapter 460, chapter 461, chapter 464, or chapter 466, *chapter 490, or chapter 491,* or a health care group practice, who provides health care services to patients.

Section 6. Section 627.446, Florida Statutes, is created to read:

627.446 Advanced explanation of benefits.—

(1) As used in this section, the term "health insurer" means a health insurer issuing individual or group coverage or a health maintenance organization issuing coverage through an individual or a group contract.

(2) Each health insurer shall prepare an advanced explanation of benefits upon receiving a patient estimate from a facility pursuant to s. 395.301(1). The health insurer must provide the advanced explanation of benefits to the insured no later than 1 business day after receiving the patient estimate from the facility or, in the case of a service scheduled at least 10 business days in advance, no later than 3 business days after receiving such estimate. The health insurer must provide an advanced explanation of benefits to the insured no later than 3 business days after the date on which the health insurer receives a request from the insured.

(3) At a minimum, the advanced explanation of benefits must include detailed coverage and cost-sharing information pursuant to the No Surprises Act, Title I of Division BB of the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260.

Section 7. Paragraph (b) of subsection (2) and paragraph (a) of subsection (4) of section 627.6387, Florida Statutes, are amended to read:

627.6387 Shared savings incentive program.—

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

(b) "Health insurer" means an authorized insurer *issuing major medical or other comprehensive coverage through an individual policy* ~~offering health insurance as defined in s. 624.603~~.

(4)(a) A shared savings incentive offered by a health insurer in accordance with this section:

1. Is not an administrative expense for rate development or rate filing purposes *and shall be counted as a medical expense for such purposes*.

2. Does not constitute an unfair method of competition or an unfair or deceptive act or practice under s. 626.9541 and is presumed to be appropriate unless credible data clearly demonstrates otherwise.

Section 8. Paragraph (b) of subsection (2) and paragraph (a) of subsection (4) of section 627.6648, Florida Statutes, are amended to read:

627.6648 Shared savings incentive program.—

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

(b) "Health insurer" means an authorized insurer *issuing major medical or other comprehensive coverage through a group policy* ~~offering health insurance as defined in s. 624.603~~. The term does not include the state group health insurance program provided under s. 110.123.

(4)(a) A shared savings incentive offered by a health insurer in accordance with this section:

1. Is not an administrative expense for rate development or rate filing purposes *and shall be counted as a medical expense for such purposes*.

2. Does not constitute an unfair method of competition or an unfair or deceptive act or practice under s. 626.9541 and is presumed to be appropriate unless credible data clearly demonstrates otherwise.

Section 9. Paragraph (b) of subsection (2) and paragraph (a) of subsection (4) of section 641.31076, Florida Statutes, are amended to read:

641.31076 Shared savings incentive program.—

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

(b) "Health maintenance organization" *means an authorized health maintenance organization issuing major medical or other comprehensive coverage through individual or group contract* ~~has the same meaning as provided in s. 641.19~~. The term does not include the state group health insurance program provided under s. 110.123.

(4) A shared savings incentive offered by a health maintenance organization in accordance with this section:

(a) Is not an administrative expense for rate development or rate filing purposes *and shall be counted as a medical expense for such purposes*.

Section 10. Paragraphs (a) and (j) of subsection (1) of section 475.01, Florida Statutes, are amended to read:

475.01 Definitions.—

(1) As used in this part:

(a) "Broker" means a person who, for another, and for a compensation or valuable consideration directly or indirectly paid or promised, expressly or impliedly, or with an intent to collect or receive a compensation or valuable consideration therefor, appraises, auctions, sells, exchanges, buys, rents, or offers, attempts or agrees to appraise, auction, or negotiate the sale, exchange, purchase, or rental of business enterprises or business opportunities or any real property or any interest in or concerning the same, including mineral rights or leases, or who advertises or holds out to the public by any oral or printed solicitation or representation that she or he is engaged in the business of appraising, auctioning, buying, selling, exchanging, leasing, or renting business enterprises or business opportunities or real property of others or interests therein, including mineral rights, or who takes any part in the procuring of sellers, purchasers, lessors, or lessees of business enterprises or business opportunities or the real property of another, or leases, or interest therein, including mineral rights, or who directs or

assists in the procuring of prospects or in the negotiation or closing of any transaction which does, or is calculated to, result in a sale, exchange, or leasing thereof, and who receives, expects, or is promised any compensation or valuable consideration, directly or indirectly therefor; and all persons who advertise rental property information or lists. A broker renders a professional service and is a professional within the meaning of *s. 95.11(5)(b)* ~~s. 95.11(4)(b)~~. Where the term "appraise" or "appraising" appears in the definition of the term "broker," it specifically excludes those appraisal services which must be performed only by a state-licensed or state-certified appraiser, and those appraisal services which may be performed by a registered trainee appraiser as defined in part II. The term "broker" also includes any person who is a general partner, officer, or director of a partnership or corporation which acts as a broker. The term "broker" also includes any person or entity who undertakes to list or sell one or more timeshare periods per year in one or more timeshare plans on behalf of any number of persons, except as provided in ss. 475.011 and 721.20.

(j) "Sales associate" means a person who performs any act specified in the definition of "broker," but who performs such act under the direction, control, or management of another person. A sales associate renders a professional service and is a professional within the meaning of *s. 95.11(5)(b)* ~~s. 95.11(4)(b)~~.

Section 11. Paragraph (h) of subsection (1) of section 475.611, Florida Statutes, is amended to read:

475.611 Definitions.—

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

(h) "Appraiser" means any person who is a registered trainee real estate appraiser, a licensed real estate appraiser, or a certified real estate appraiser. An appraiser renders a professional service and is a professional within the meaning of *s. 95.11(5)(b)* ~~s. 95.11(4)(b)~~.

Section 12. Subsection (7) of section 517.191, Florida Statutes, is amended to read:

517.191 Injunction to restrain violations; civil penalties; enforcement by Attorney General.—

(7) Notwithstanding *s. 95.11(5)(f)* ~~s. 95.11(4)(f)~~, an enforcement action brought under this section based on a violation of any provision of this chapter or any rule or order issued under this chapter shall be brought within 6 years after the facts giving rise to the cause of action were discovered or should have been discovered with the exercise of due diligence, but not more than 8 years after the date such violation occurred.

Section 13. Subsection (14) of section 768.28, Florida Statutes, is amended to read:

768.28 Waiver of sovereign immunity in tort actions; recovery limits; civil liability for damages caused during a riot; limitation on attorney fees; statute of limitations; exclusions; indemnification; risk management programs.—

(14) Every claim against the state or one of its agencies or subdivisions for damages for a negligent or wrongful act or omission pursuant to this section shall be forever barred unless the civil action is commenced by filing a complaint in the court of appropriate jurisdiction within 4 years after such claim accrues; except that an action for contribution must be commenced within the limitations provided in s. 768.31(4), and an action for damages arising from medical malpractice or wrongful death must be commenced within the limitations for such actions in *s. 95.11(5)* ~~s. 95.11(4)~~.

Section 14. Subsection (4) of section 787.061, Florida Statutes, is amended to read:

787.061 Civil actions by victims of human trafficking.—

(4) STATUTE OF LIMITATIONS.—The statute of limitations as specified in *s. 95.11(8) or (10)* ~~s. 95.11(7) or (9)~~, as applicable, governs an action brought under this section.

Section 15. *The requirements of s. 395.301(1)(b), Florida Statutes, as created by this act, relating to shoppable health care services, do not apply to ambulatory surgical centers as defined in s. 395.002, Florida Statutes, until January 1, 2026.*

Section 16. *The changes made by this act to s. 395.301, Florida Statutes, relating to good faith estimates, are not effective until the United States Department of Health and Human Services, the United States Department of Labor, and the United States Department of the Treasury issue a final rule pertaining to good faith estimates required by section 2799B-6 of the Public Health Services Act. The Agency for Health Care Administration shall notify the Division of Law Revision upon the promulgation of the final rule.*

Section 17. *The changes made by this act to s. 627.446, Florida Statutes, relating to advanced explanation of benefits, are not effective until the United States Department of Health and Human Services, the United States Department of Labor, and the United States Department of the Treasury issue final rules pertaining to advanced explanation of benefits required by section 2799A-1(f) of the Public Health Services and good faith estimates required by section 2799B-6 of the Public Health Services Act. The Office of Insurance Regulation shall notify the Division of Law Revision upon the promulgation of the final rule pertaining to advanced explanation of benefits.*

Section 18. This act shall take effect July 1, 2024.

And the title is amended as follows:

Delete lines 33-46 and insert: explanation of benefits within specified timeframes; providing requirements for the advanced explanation of benefits; amending ss. 627.6387 and 627.6648, F.S.; revising the definition of the term "health insurer"; providing that a shared savings incentive offered by a health insurer constitutes a medical expense for rate development and rate filing purposes for individual and group health insurance policies, respectively; amending s. 641.31076, F.S.; revising the definition of the term "health maintenance organization"; providing that a shared savings incentive offered by a health maintenance organization constitutes a medical expense for rate development and rate filing purposes for individual or group health maintenance contracts; amending ss. 475.01, 475.611, 517.191, 768.28, and 787.061, F.S.; conforming provisions to changes made by the act; providing applicability; requiring the Agency for Health Care Administration and the Office of Insurance Regulation to notify the Division of Law Revision upon the promulgation of certain federal rules; providing an

Pursuant to Rule 4.19, **HB 7089**, as amended, was placed on the calendar of Bills on Third Reading.

RECESS

The President declared the Senate in recess at 5:49 p.m. to reconvene upon call of the President.

EVENING SESSION

The Senate was called to order by President Passidomo at 6:45 p.m. A quorum present—39:

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

Excused: Senator Jones

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1 (660000) with House Amendment 1 (917109), concurred in the same as amended, and passed CS/HB 1361 as further amended, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

By Education & Employment Committee and Representative(s) Temple, Daniels, Massullo—

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 information 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.

House Amendment 1 (917109) (with title amendment)—Remove lines 5-7 of the amendment and insert:

(5) This section is repealed effective July 1, 2024.

Section 7. Section 1004.561, Florida Statutes, is created to read:

1004.561 University of Florida Lastinger Center For Learning.—There is created at the University of Florida, the Lastinger Center for Learning. The center shall:

(1) Develop and administer programs to improve student achievement outcomes in early learning, literacy, and mathematics.

(2) Provide professional learning for educators to improve the quality of instruction in early learning, literacy, and mathematics. Professional learning shall include the development of micro-credentials that require educators to demonstrate competency. Micro-credentials must be provided at low or no cost and be personalized, and may be provided online or in person.

(3) Provide technical assistance and support to school districts and schools in improving student achievement.

(4) Conduct and publish research on teaching and learning in early learning, literacy, and mathematics as well as professional learning for educators.

(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.

(6)(a) Collaborate with school districts on the implementation of s. 1002.321(3) and award grant funds to eligible recipients.

(b) The sum of $2 million in recurring funds from the General Revenue Fund are appropriated to the University of Florida Lastinger Center for Learning for the grants awarded pursuant to this subsection.

And the title is amended as follows:

Remove line 190 of the amendment and insert: providing for the future repeal of s. 1004.646, F.S.; creating s. 1004.561, F.S.; creating the Lastinger Center for Learning at the University of Florida; providing duties and responsibilities of the center; providing an appropriation; creating s. 1008.366, F.S.; creating the New Worlds Tutoring Program to provide

On motion by Senator Yarborough, the Senate concurred in **House Amendment 1 (917109) to Senate Amendment 1 (660000)**.

CS for HB 1361 passed, as amended, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—38

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	Martin	Trumbull
Burgess	Mayfield	Wright
Burton	Osgood	Yarborough
Calatayud	Perry	

Nays—None

Vote after roll call:

Yea—Collins

By direction of the President, there being no objection, the Senate reverted to—

BILLS ON THIRD READING

On motion by Senator Burgess, by unanimous consent—

CS for CS for HB 49—A bill to be entitled An act relating to employment and curfew of minors; amending s. 450.081, F.S.; revising certain employment restrictions for minors 16 and 17 years of age; revising the age at which certain employment restrictions apply; amending s. 877.25, F.S.; requiring a curfew adopted by county or municipal ordinance to include certain exceptions; providing an effective date.

—as amended March 6, was taken up out of order and read the third time by title.

RECONSIDERATION OF AMENDMENT

On motion by Senator Burgess, the Senate reconsidered the vote by which **Amendment 1 (736582)** was adopted.

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

Senator Trumbull moved the following amendment to **Amendment 1 (736582)** which was adopted by two-thirds vote:

Amendment 1D (959110) (with title amendment)—Before line 5 insert:

Section 1. Section 448.106, Florida Statutes, is created to read:

448.106 Workplace heat exposure requirements.—

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

(a) "Competitive solicitation" means an invitation to bid, a request for proposals, or an invitation to negotiate.

(b) "Heat exposure requirement" means a standard to control an employee's exposure to heat or sun, or to otherwise address or moderate the effects of such exposure. The term includes, but is not limited to, standards relating to any of the following:

1. Employee monitoring and protection.

2. Water consumption.

3. Cooling measures.

4. Acclimation and recovery periods or practices.

5. Posting or distributing notices or materials that inform employees how to protect themselves from heat exposure.

6. Implementation and maintenance of heat exposure programs or training.

7. Appropriate first-aid measures or emergency responses related to heat exposure.

8. Protections for employees who report that they have experienced excessive heat exposure.

9. Reporting and recordkeeping requirements.

(c) "Political subdivision" means a county, municipality, department, commission, district, board, or other public body, whether corporate or otherwise, created by or under state law.

(2)(a) A political subdivision may not establish, mandate, or otherwise require an employer, including an employer contracting to provide goods or services to the political subdivision, to meet or provide heat exposure requirements not otherwise required under state or federal law.

(b) A political subdivision may not give preference in a competitive solicitation to an employer based on the employer's heat exposure requirements and may not consider or seek information relating to the employer's heat exposure requirements.

(3) This section does not limit the authority of a political subdivision to establish or otherwise provide heat exposure requirements not otherwise required under state or federal law for direct employees of the political subdivision.

(4) This section does not apply if it is determined that compliance with this section will prevent the distribution of federal funds to a political subdivision or would otherwise be inconsistent with federal requirements pertaining to receiving federal funds, but only to the extent necessary to allow a political subdivision to receive federal funds or to eliminate inconsistency with federal requirements.

And the title is amended as follows:

Delete line 91 and insert: An act relating to employment; creating s. 448.106, F.S.; defining terms; prohibiting a political subdivision from requiring employers to meet or provide heat exposure requirements beyond those required by law; prohibiting a political subdivision from giving preference to or considering or seeking information from an employer in a competitive solicitation based on or relating to an employer's heat exposure requirements; providing construction; providing applicability; amending

Amendment 1 (736582), as amended, was adopted by two-thirds vote.

On motion by Senator Burgess, **CS for CS for HB 49**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—27

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

Nays—11

Berman	Pizzo	Stewart
Book	Polsky	Thompson
Davis	Powell	Torres
Osgood	Rouson	

Vote after roll call:

Yea—Garcia

The Senate resumed consideration of—

HB 7089—A bill to be entitled An act relating to health care expenses; amending s. 95.11, F.S.; establishing a 3-year statute of limitations for an action to collect medical debt for services rendered by a health care provider or facility; creating s. 222.26, F.S.; providing additional personal property exemptions from legal process for medical debts resulting from services provided in certain licensed facilities; amending s. 395.301, F.S.; requiring a licensed facility to post on its website a consumer-friendly list of standard charges for a minimum number of shoppable health care services or a price estimator tool meeting certain requirements; providing definitions; requiring a licensed facility to provide an estimate to a patient or prospective patient and the patient's health insurer within specified timeframes; requiring a licensed facility to establish an internal grievance process for patients to dispute charges; requiring a facility to make available information necessary for initiating a grievance; requiring a facility to respond to a patient grievance within a specified timeframe; requiring a licensed facility to disclose specified information relating to cost-sharing obligations to certain persons; providing a penalty; creating s. 395.3011, F.S.; defining the term "extraordinary collection action"; prohibiting certain collection activities by a licensed facility; amending s. 624.27, F.S.; revising the definitions of "health care provider"; creating s. 627.446, F.S.; defining the term "health insurer"; requiring each health insurer to provide an insured with an advanced explanation of benefits after receiving a patient estimate from a facility for scheduled services; providing requirements for the advanced explanation of benefits; amending s. 627.6387, F.S.; revising a definition; providing that a shared savings incentive constitutes a medical expense for rate development and rate filing purposes; amending ss. 627.6648 and 641.31076, F.S.; providing that a shared savings incentive offered by a health insurer or health maintenance organization constitutes a medical expense for rate development and rate filing purposes; amending ss. 475.01, 475.611, 517.191, 768.28, and 787.061 F.S.; conforming provisions to changes made by the act; providing applicability; providing an effective date.

—which was previously considered and amended this day.

On motion by Senator Collins, by two-thirds vote, **HB 7089** was read the third time by title, passed as amended, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Garcia

MOTIONS

On motion by Senator Mayfield, the rules were waived and a deadline of one hour after adjournment was set for filing amendments to Bills on Third Reading to be considered Friday, March 8, 2024.

BILLS ON SPECIAL ORDERS

Pursuant to Rule 4.18 the Rules Chair submits the following bills to be placed on the Local Bill Calendar for Thursday, March 7, 2024: HB 191, HB 509, HB 691, HB 741, CS for HB 755, CS for HB 793, HB 819, CS for HB 821, HB 823, CS for HB 867, HB 897, HB 1023, HB 1025, HB 1115, HB 1117, CS for CS for HB 1165, HB 1483, CS for HB 1571, HB 1573, HB 1575, HB 1577.

Respectfully submitted,
Debbie Mayfield, Rules Chair

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGES — FINAL ACTION

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (844484) to House amendment 1 (126105) and passed CS/SB 7014 as further amended.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered engrossed and then enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (542244) and passed CS/HB 87, as amended.

Jeff Takacs, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (830180) and passed CS/HB 135, as amended.

Jeff Takacs, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (800572) and passed CS/CS/HB 271, as amended.

Jeff Takacs, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 2 (319730) and passed CS/CS/HB 537, as amended.

Jeff Takacs, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 2 (855090) and passed HB 601, as amended.

Jeff Takacs, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (615874) and passed CS/CS/HB 623, as amended.

Jeff Takacs, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (930838) and passed CS/HB 761, as amended.

Jeff Takacs, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (673320) and passed CS/CS/HB 917, as amended.

Jeff Takacs, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (254472) and passed CS/CS/HB 1203, as amended.

Jeff Takacs, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (353898) and passed CS/HB 1281, as amended.

Jeff Takacs, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (155292) and passed CS/CS/HB 1285, as amended.

Jeff Takacs, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (299830) and passed CS/CS/CS/HB 1301, as amended.

Jeff Takacs, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (668628) and passed CS/HB 1317, as amended.

Jeff Takacs, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (402874) and passed CS/CS/HB 1329, as amended.

Jeff Takacs, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (833732) and passed CS/CS/HB 1335, as amended.

Jeff Takacs, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (203782) and passed CS/CS/HB 1403, as amended.

Jeff Takacs, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (536102) and passed CS/CS/HB 1473, as amended.

Jeff Takacs, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (102780) and passed CS/CS/HB 1503, as amended.

Jeff Takacs, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (656380) and passed CS/CS/CS/HB 1555, as amended.

Jeff Takacs, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (613928) and passed CS/CS/HB 7013, as amended.

Jeff Takacs, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (137798) and passed HB 7067, as amended.

Jeff Takacs, Clerk

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 6 was corrected and approved.

ADJOURNMENT

On motion by Senator Mayfield, the Senate adjourned at 6:58 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Friday, March 8 or upon call of the President.