



Journal of the Senate

Number 19—Regular Session

Tuesday, March 10, 2026

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CALL TO ORDER

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

Mr. President	DiCeglie	Osgood
Arrington	Gaetz	Passidomo
Avila	Garcia	Polsky
Berman	Grall	Rodriguez
Bernard	Gruters	Rouson
Boyd	Harrell	Sharief
Bracy Davis	Hooper	Simon
Bradley	Jones	Smith
Brodeur	Leek	Truenow
Burgess	Martin	Trumbull
Burton	Massullo	Wright
Calatayud	Mayfield	Yarborough
Davis	McClain	

Excused: Senator Pizzo

PRAYER

The following prayer was offered by Joshua Albritton, son of President Albritton:

Our Father in heaven, hallowed be your name. Your kingdom come, your will be done, on earth as it is in heaven. Give us today our daily bread. And forgive us our debts, as we also have forgiven our debtors. Lead us not into temptation but deliver us from the evil one.

There is no one like you, God. You are our creator, our provider, our protector, our peace, our savior, and our Lord. We submit ourselves to you and your will today.

Father, I thank you for the men and women in this room, who sacrifice their time, their energy, and sometimes their sanity, for the good of the people of this state. I ask you today, Lord, to move in the hearts and the minds of the men and women of this legislature. Draw us near

to you. Help us to see your glory and be moved toward a life of submission to you. I pray that this Senate wouldn't be motivated by ego or self-promotion, but by humility and service. Don't let their actions be hindered by prejudice or jealousy or hatred or bitterness, but enabled by compassion, understanding, empathy, and reconciliation. May they be more aware than ever that those who receive more, whether that be knowledge, resources, influence, or truth are accountable to steward it faithfully.

I thank you for my dad, for the way that he has modeled your servant leadership in his time as the Senate President. I thank you for the way he has been both full of grace and truth with those around him.

In all things, God, to you be the glory. In the mighty name of Jesus we pray. Amen.

PLEDGE

Senate Pages, Marion Bevis of Tallahassee; Sarah Blamasah of Freeport; and Layla Jarussi of Coconut Creek, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Alfred Gitu of Fort Myers, sponsored by Senator Martin, as the doctor of the day. Dr. Gitu specializes in family medicine.

ADOPTION OF RESOLUTIONS

At the request of Senator Rodriguez—

By Senator Rodriguez—

SR 1812—A resolution recognizing the outstanding performance of Indiana University quarterback Fernando Mendoza during the 2025 football season and congratulating him on his election as the 91st recipient of the Heisman Memorial Trophy.

WHEREAS, Fernando Mendoza was born on October 1, 2003, in Boston, Massachusetts, and was raised in Miami, where he attended Christopher Columbus High School and played as a quarterback on the school's football team, and

WHEREAS, initially committed to Yale University, Fernando Mendoza ultimately enrolled at the University of California, Berkeley, where he played from 2022 to 2024, and

WHEREAS, in 2025, Fernando Mendoza transferred to Indiana University and became the starting quarterback for the Indiana Hoosiers football team, leading the program to a 16-0 record, a Big Ten championship, victories in the 2026 Rose Bowl and the 2026 Peach Bowl, and the program's first No. 1 seed and national championship victory in the 2026 College Football Playoff, and

WHEREAS, the Miami native finished the 2025 season with 3,535 passing yards and led the nation with 41 passing touchdowns, while also rushing for 276 yards and 7 additional touchdowns, and earned multiple major honors, including the Maxwell Award and the Davey O'Brien Award, and was named the Associated Press College Football Player of the Year, the Walter Camp Player of the Year, and the Big Ten Offensive Player of the Year and Quarterback of the Year, and

WHEREAS, on December 13, 2025, Fernando Mendoza was awarded the 91st Heisman Memorial Trophy as the most outstanding player in college football, achieving a historic victory by leading all six Heisman regions in voting and becoming the first player in Indiana University history to receive the award, and

WHEREAS, Fernando Mendoza is the first Cuban American and the third Latino to win the Heisman Memorial Trophy, marking a milestone for Cuban-American and Latino athletes in college sports, and

WHEREAS, Fernando Mendoza's achievements have brought national recognition to Indiana University and his hometown of Miami and serve as an inspiration to young athletes, particularly in the Cuban-American and Latino communities, NOW, THEREFORE,

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

That the Florida Senate recognizes the outstanding performance of Indiana University quarterback Fernando Mendoza during the 2025 football season and congratulates him on his election as the 91st recipient of the Heisman Memorial Trophy.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Fernando Mendoza as a tangible token of the sentiments of the Florida Senate.

—was introduced, read, and adopted by publication.

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

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

March 10, 2026

Dear President Albritton:

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:

	<i>For Term Ending</i>
<i>Office and Appointment</i>	
State Board of Education	
Appointees: Christie, Grazie	12/31/2029
Fuste, Luis M.	12/31/2029

Public Employees Relations Commission	
Appointee: Sasso, Michael Adam	01/01/2030

The following executive appointments were referred to the Senate Appropriations Committee on Agriculture, Environment, and General Government and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

	<i>For Term Ending</i>
<i>Office and Appointment</i>	
Board of Pilot Commissioners	
Appointee: Gramling, James Patrick	10/31/2028
Governing Board of the Northwest Florida Water Management District	
Appointees: Morgan, Tom	03/01/2027
Roberts, George A.	03/01/2030
Governing Board of the South Florida Water Management District	
Appointees: Roman, Charlette I.	03/01/2029
Spottswood, Robert A., Jr.	03/01/2030
Governing Board of the Southwest Florida Water Management District	
Appointee: Aungst, Brian J., Jr.	03/01/2030

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

	<i>For Term Ending</i>
<i>Office and Appointment</i>	
Board of Trustees of Broward College	
Appointees: Yarbrough, Alexis M.	05/31/2029
Zanotti-Cavazzoni Riera, Mario Luis	05/31/2026
Board of Trustees of Chipola College	
Appointees: Lassmann, Thomas S.	05/31/2027
Young, Sherry	05/31/2029
Board of Trustees of The College of the Florida Keys	
Appointees: Batty, Peter Edward	05/31/2029
Broton, Robert Michael	05/31/2028
Downer, Michael J.	05/31/2027
Kertis, Edward John, Jr.	05/31/2028
Board of Trustees of Hillsborough Community College	
Appointee: Bunch, Stephen M.	05/31/2027
Board of Trustees of Miami-Dade College	
Appointee: Smith, David	05/31/2029
Board of Trustees of Palm Beach State College	
Appointee: Kerner, David M.	05/31/2029
Board of Trustees of Pasco-Hernando State College	
Appointee: Collura, Gino	05/31/2029
Board of Trustees of Pensacola State College	
Appointees: Holzknecht, Richard A.	05/31/2027
Leonard, Todd C.	05/31/2029
Locklin, Oscar J.	05/31/2026
McDonald, Audrey Michele	05/31/2027
Tippett, Troy	05/31/2026
Board of Trustees of Polk State College	
Appointees: Davis, Kyle Wayne	05/31/2029
Ross, Cynthia Hartley	05/31/2029
Board of Trustees of St. Petersburg College	
Appointees: Butts, Jason	05/31/2027
Cole, Katherine E.	05/31/2029
Kidwell, Thomas	05/31/2027
Marolf, Danielle	05/31/2026
Board of Trustees of Tallahassee State College	
Appointees: Bayliss, Sara	05/31/2026
Rees, Jonathan Jeffrey	05/31/2029
Board of Trustees of Valencia College	
Appointees: Davis, John F.	05/31/2029
Milligan, Sean P.	05/31/2026
Pullum, Frederick G.	05/31/2027
Sasso, Michael Adam	05/31/2029
Board of Trustees, Florida A & M University	
Appointees: Figgers, Natlie G.	01/06/2031
Harris, Roderick	01/06/2031
Jones, Kenneth P.	01/06/2031
Shah, Prerak	01/06/2031
Vazquez, Raphael	01/06/2030
White, Michael David, II	01/06/2031
Board of Trustees, Florida Atlantic University	
Appointees: Bussani, Piero	01/06/2031
Mersch, Thomas F., Jr.	01/06/2031
Stoch, Linda	01/06/2031
Board of Trustees, University of Central Florida	
Appointees: Condello, Jeffrey	01/06/2031
Martins, Alexander	01/06/2031
Miklos, John A.	01/06/2031

<i>Office and Appointment</i>		<i>For Term</i>
Board of Trustees, Florida State University		<i>Ending</i>
Appointees: Alvarez, Maximo	01/06/2031	
de las Cuevas-Diaz, Vivian	01/06/2031	
Gonzalez, Jorge	01/06/2031	
Roth, Justin	01/06/2031	
Board of Trustees, Florida Gulf Coast University		
Appointees: Drzymala, James	01/06/2031	
Fogg, Joseph G., III	01/06/2031	
Perry, Sarah Parshall	01/06/2030	
Rommel, Robert G.	01/06/2031	
VanOort, Douglas M.	01/06/2031	
Youngquist, Sandra Stilwell	01/06/2031	
Board of Trustees, Florida International University		
Appointees: Gonzalez, Alan	01/06/2031	
McDowell, W. Patrick	01/06/2031	
Voccola, Fred	01/06/2028	
Yakubov, Yaffa	01/06/2031	
Board of Trustees, New College of Florida		
Appointees: Bauerlein, Mark	01/06/2031	
Jenks, Debra A.	01/06/2031	
Meyer, Urban F.	01/06/2031	
Patterson, Donald	01/06/2031	
Board of Trustees, Florida Polytechnic University		
Appointees: Bassett, Christine	06/30/2029	
Beelaert, Jeffrey	06/30/2030	
Harrell, Jack R., III	06/30/2030	
Kincart, Robert O.	07/15/2030	
Shapiro, Ilya	06/30/2030	
Board of Trustees, University of Florida		
Appointee: Heavener, James W.	01/06/2031	
Board of Trustees, University of North Florida		
Appointees: Gol, John	01/06/2031	
Hudson, Andrew	01/06/2031	
Lazzara, Christopher	01/06/2030	
Mayo, Michael Alan	01/06/2031	
Shelton, Allison	01/06/2030	
Skinner, Daniel E.	01/06/2031	
Board of Trustees, University of South Florida		
Appointees: Carrere, Michael L.	01/06/2031	
Donelly, Rogan	01/06/2031	
Mizelle, Chad	01/06/2031	
Monbarren, Lauran	01/06/2030	
Weatherford, William	01/06/2030	
Williams, Andrea Gonzmart	01/06/2031	
Board of Trustees, University of West Florida		
Appointees: Bailey, Paul	01/06/2031	
Fleming, Edward P.	01/06/2031	
Mason, Kevin Gregory	01/06/2031	
Smith, Thomas Zachary	01/06/2030	

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:

<i>Office and Appointment</i>		<i>For Term</i>
		<i>Ending</i>
Board of Governors of the State University System		
Appointees: Barnett, Ashley B.	01/06/2033	
Lukis, Ashley	01/06/2027	
Lydecker, Charles Harvey	01/06/2033	
Perry, W. Keith	01/06/2031	
Sinatra, Nicholas A.	01/06/2033	

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:

<i>Office and Appointment</i>		<i>For Term</i>
		<i>Ending</i>
State Board of Education		
Appointees: Collins, Layla		12/31/2028
Fritz-Ochs, Erika Dawn		12/31/2029

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:

<i>Office and Appointment</i>		<i>For Term</i>
		<i>Ending</i>
Director and Chief Judge, Division of Administrative Hearings		
Appointee: Schwartz, Darren A.		Pleasure of Governor

Florida Commission on Community Service		
Appointees: Brodeur, Christina		09/14/2028
Cardoch, Lynette		09/14/2027
Edwards, Stefanie Ink		09/14/2028
Flury, Michael		09/14/2027
Goff, Kristen Rhea		09/14/2028
Hays, Jessica		09/14/2028
Jefferson, Savannah Kelly		09/14/2027
Karlinsky, Autumn		09/14/2027
Kerce, Samuel		09/14/2026
Kerner, David M.		09/14/2028
Killinger, Lori		09/14/2028
Puwalski, Jason		09/14/2028
Tuggerson, Katrina		09/14/2026

Florida Commission on Human Relations		
Appointee: Tapia, Jose		09/30/2027

Investment Advisory Council		
Appointees: Hosseini, Morteza "Mori"		06/10/2029
Jones, Peter D.		03/05/2029

Governor's Mansion Commission		
Appointees: Chaney, Ashley		09/30/2026
Jefferson, Savannah Kelly		09/14/2027

Public Employees Relations Commission		
Appointee: Aaron, Jeffrey		01/01/2029

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

<i>Office and Appointment</i>		<i>For Term</i>
		<i>Ending</i>
Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling		
Appointees: Kraus, Tanya		10/31/2026
O'Brien, Alexandra L.		10/31/2028
Reed, Stacey L.		10/31/2028

Board of Dentistry		
Appointees: Anderson, Marc		10/31/2029
Cherry, Bradley		10/31/2027
Forrest, Andrew		10/31/2028
Hill, Karyn		10/31/2029
Mallah, Jessica		10/31/2026
Marshall, Chadwick Justin		10/31/2027
White, Nicholas		10/31/2029

pointments 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—31

Mr. President	Gaetz	Passidomo
Arrington	Grall	Polsky
Avila	Gruters	Rouson
Berman	Harrell	Sharief
Bernard	Hooper	Simon
Boyd	Jones	Smith
Bracy Davis	Martin	Truenow
Bradley	Massullo	Wright
Burgess	Mayfield	Yarborough
Burton	McClain	
DiCeglie	Osgood	

Nays—None

Vote after roll call:

Yea—Brodeur

Vote Preference:

Senator Arrington was recorded as voting “nay” on the following appointments: Ilya Shapiro to the Board of Trustees, Polytechnic University; Thomas Zachary Smith to the Board of Trustees, University of West Florida; and John Littell to the Board of Medicine.

Senator Berman was recorded as voting “nay” on the following appointments: Ilya Shapiro to the Board of Trustees, Polytechnic University; Thomas Zachary Smith to the Board of Trustees, University of West Florida; and John Littell to the Board of Medicine.

Senator Bernard was recorded as voting “nay” on the following appointments: Ilya Shapiro to the Board of Trustees, Polytechnic University; Thomas Zachary Smith to the Board of Trustees, University of West Florida; and John Littell to the Board of Medicine.

Senator Bracy Davis was recorded as voting “nay” on the following appointments: Ilya Shapiro to the Board of Trustees, Polytechnic University; Thomas Zachary Smith to the Board of Trustees, University of West Florida; and John Littell to the Board of Medicine.

Senator Polsky was recorded as voting “nay” on the following appointments: Ilya Shapiro to the Board of Trustees, Polytechnic University; Thomas Zachary Smith to the Board of Trustees, University of West Florida; and John Littell to the Board of Medicine.

Senator Rouson was recorded as voting “nay” on the following appointments: Ilya Shapiro to the Board of Trustees, Polytechnic University; Thomas Zachary Smith to the Board of Trustees, University of West Florida; and John Littell to the Board of Medicine.

Senator Sharief was recorded as voting “nay” on the following appointments: Ilya Shapiro to the Board of Trustees, Polytechnic University; Thomas Zachary Smith to the Board of Trustees, University of West Florida; and John Littell to the Board of Medicine.

DISCLOSURE

Pursuant to Senate Rule 1.39, I am disclosing that certain provisions in Executive Appointment of Christina Brodeur provide a special private gain or loss to me. The nature of the interest and the persons or entities involved are specified below.

My spouse, Christina Brodeur, is on the list of executive appointments considered for Senate confirmation on her reappointment to the Florida Commission on Community Service. I voted on this confirmation on March 10, 2026. Although I will not receive a special private

gain or loss, such reappointment may be construed as a special private gain to my spouse.

As established by Senate Rule 1.20, I must vote on this matter.

Jason Brodeur, Senator, 10th District

On motion by Senator Berman, Jeffrey Aaron, appointee to the Public Employee Relations Commission, was removed from the report and voted on separately.

The vote was:

Yeas—26

Mr. President	Garcia	McClain
Avila	Grall	Passidomo
Boyd	Gruters	Rodriguez
Bradley	Harrell	Simon
Brodeur	Hooper	Truenow
Burgess	Leek	Trumbull
Burton	Martin	Wright
DiCeglie	Massullo	Yarborough
Gaetz	Mayfield	

Nays—10

Arrington	Jones	Sharief
Berman	Osgood	Smith
Bernard	Polsky	
Bracy Davis	Rouson	

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

March 10, 2026

Dear President Albritton:

The following executive appointment was referred to the Senate Committee on Health Policy 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 Health Care Administration
 Appointee: Harris, Shevaun

Pleasure of Governor

As required by Rule 12.7, the committees conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointee 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 appointee. 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 committee respectfully advise and recommend that in accordance with s. 114.05(1)(c), F.S.:

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

(2) Senate action on said appointment be taken prior to the adjournment of the 2026 Regular Session; and

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

Respectfully submitted,
Don Gaetz, Chair

On motion by Senator Gaetz, the report was adopted and the Senate confirmed the appointment identified in the foregoing report of the committee to the office and for the term indicated in accordance with the recommendation of the committee.

The vote was:

The vote was:

Yeas—32

Mr. President	Gaetz	McClain
Avila	Garcia	Osgood
Bernard	Grall	Passidomo
Boyd	Gruters	Rodriguez
Bracy Davis	Harrell	Rouson
Bradley	Hooper	Sharief
Brodeur	Jones	Simon
Burgess	Leek	Truenow
Burton	Martin	Trumbull
Calatayud	Massullo	Yarborough
DiCeglie	Mayfield	

Yeas—33

Mr. President	Gaetz	McClain
Avila	Garcia	Osgood
Bernard	Grall	Passidomo
Boyd	Gruters	Rodriguez
Bracy Davis	Harrell	Rouson
Bradley	Hooper	Sharief
Brodeur	Jones	Simon
Burgess	Leek	Truenow
Burton	Martin	Trumbull
Calatayud	Massullo	Wright
DiCeglie	Mayfield	Yarborough

Nays—4

Arrington	Berman	Polsky
Smith		

Nays—5

Arrington	Polsky	Wright
Berman	Smith	

SPECIAL RECOGNITION OF SENATOR PASSIDOMO

At the direction of the President, the Senate proceeded to the recognition of former President and current Senator, Kathleen Passidomo, honoring her years of service to the Senate as she approaches the completion of her term for the 28th Senate District.

SPECIAL PRESENTATION

On behalf of the Senate, Chief of Staff Andrew Mackintosh presented Senator Passidomo with a special keepsake box. This box was handmade by professional staff of the Senate Sergeant’s Office and engraved by professional staff of Senate Multimedia. The keepsake box is filled with letters and other momentos from staff reflecting on their time with President Passidomo.

REMARKS

On motion by Senator Jones, by two-thirds vote, the following remarks by Senator Passidomo were ordered spread upon the Journal.

Senator Passidomo: Notice I have not cried, and I am not going to. So, I wasn’t going to give farewell remarks because I did that two years ago, but a few of you—Shev, thank you very much—expressed dismay about the decision, so here I am. I didn’t have a video. I was going to put up 50 photos of myself with Donald Trump. Unfortunately, I don’t have any because I have never met him. I didn’t think to invite friends and family, so you are it. Notwithstanding the biggest lie in Tallahassee other than it is a part-time job, that I shall be brief, I will. There are some who have questioned my decision to stay in the Senate after my presidency ended. I have heard actually that there have been some comments in the House about me desperately trying to hold on to power—not. I love this process. And honestly, all of the time that I have served in the legislature, both in the House and the Senate, my thoughts have always been how to do good things for my community and my state. It is as simple as that.

It was a hard decision for me to continue my service after my term as President ended two years ago. I was in a different place. I remember clearly, John and I discussing it the last week of session in 2024, when he came up to Tallahassee for my portrait unveiling. He encouraged me to stay, to continue my service to my community, my state, and my beloved Senate. We talked about how he had several projects he was working on that needed a few more years to come to fruition and it would have been perfect timing. We could have retired to follow his dream of visiting all of the national parks and my dream of visiting all of the presidential libraries. But it is not to be. And I miss him every single day. He did leave me Tucker to care for and cherish. I think Tucker is watching this from the *Florida Channel*.

So when President Albritton asked me to stay on as his Rules Chair, I was humbled and grateful for the opportunity, and I have not looked back. The last two years I have been on an emotional roller coaster and

The Honorable Ben Albritton
President, The Florida Senate
Suite 409, The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100
March 10, 2026

Dear President Albritton:

The following executive appointment was referred to the Senate Committee on Children, Families, and Elder Affairs 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 Children and Families
Appointee: Hatch, Taylor N.

Pleasure of
Governor

As required by Rule 12.7, the committees conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointee 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 appointee. 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 committee respectfully advise and recommend that in accordance with s. 114.05(1)(c), F.S.:

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

(2) Senate action on said appointment be taken prior to the adjournment of the 2026 Regular Session; and

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

Respectfully submitted,
Don Gaetz, Chair

On motion by Senator Gaetz, the report was adopted and the Senate confirmed the appointment identified in the foregoing report of the committee to the office and for the term indicated in accordance with the recommendation of the committee.

if it were not for many of you in this chamber, the senate staff, and the permanent friends I have met in this process, I probably would have just given up. I still had much to do, and it has been an absolute joy to work with all of you, notwithstanding the comments about all of the bills. By the way, I have passed and sent to this floor more bills than I killed, just so you know. Two years have gone by in the proverbial blink of an eye, and I am not sure what is going to be next for me. I haven't even begun to think of it. Now I just want to say thank you. Thank you first to my constituents. It has been an honor of a lifetime to have represented my community for the past 16 years.

Thank you to my law partners and the staff at Kelly, Passidomo, and Kelly who put up with my absence with patience and understanding. Thank you to my daughters, Catie, Francesca, and Gabriella. I am so proud of the very accomplished women they have become. They are my pride and joy. Thank you to my permanent friends and my adopted lobbyist daughters. You know who you are. I love you all. Thank you mostly, all of you who have served alongside me in this chamber, each and every one of you. Those I have had the privilege of serving with since I joined the Senate in 2016 will always have a special place in my heart.

Thank you to my staff, Paul, Sheri, Kevin, and Zoraida, who faithfully supported our district and the constituents we serve. Thank you to my Rules staff, Shasta, Patrick, and Cindy. You are so smart, and thoughtful, and a great team. Tracy and the staff in the Secretary's Office make it seem so easy, but I know it is not. Thank you for all of your help. Sarge, and the members of your office are always there to help. They never say no, and I am grateful for their care and concern. There are so many people who work for the Senate that I have gotten to know over the years, Jacqui, my cooking buddy; Ronnie and the members of the Majority Office; our General Counsel and staff; Senate IT who seem to have to fix my computers on a weekly basis; Audrey and HR, who are pretty much unsung heroes. Bettsy, Darryl, and Multimedia make me look good, or at least they try to.

Thank you to the staff directors and committee staff who are brilliant and always available; most of all to my sweet friends Andrew; Katie, who is like a sister to me; Reynold, my wise and thoughtful Yoda; Megan, like another daughter; and the policy advisors, K Miz, Allie, Jennifer, Lauren, Christy, and Jay, whom I fondly call my minions. Each and every one of you has played an important role in everything we accomplished together. I am so proud of all of you, and I will miss you more than you will ever know.

Finally, Mr. President, thank you for your many kindnesses, for your friendship, and your trust in me, from the bottom of my heart. I do love you very much. Thank you all.

RECESS

On motion by Senator Jones, the Senate recessed at 1:18 p.m. to reconvene at 2:00 p.m. or upon call of the President.

AFTERNOON SESSION

The Senate was called to order by Senator Brodeur at 2:00 p.m. A quorum present—38:

Mr. President	DiCeglie	Osgood
Arrington	Gaetz	Passidomo
Avila	Garcia	Polsky
Berman	Grall	Rodriguez
Bernard	Gruters	Rouson
Boyd	Harrell	Sharief
Bracy Davis	Hooper	Simon
Bradley	Jones	Smith
Brodeur	Leek	Truenow
Burgess	Martin	Trumbull
Burton	Massullo	Wright
Calatayud	Mayfield	Yarborough
Davis	McClain	

SPECIAL RECOGNITION OF PRESIDENT ALBRITTON

At the direction of Senator Brodeur, the Senate proceeded to the recognition of President Ben Albritton, honoring his years of service to the Senate as he approaches the completion of his term as President of the Senate.

SPECIAL GUESTS

Senator Brodeur introduced President Albritton's wife and First Lady of the Florida Senate, Missy Albritton; their children and grandchildren, Becca and Dustin Goodwyn, and their children, Brooks and Bella Grace; Joshua and Emi Albritton, and their children, Walker and Lucas; and Ryan Albritton, who were present in the chamber.

Senator Brodeur introduced President Albritton's parents, Benny and Pam Albritton; brother and sister-in-law, Joe and Mindy Albritton and mother-in-law, Patty Jo Schrader, who were present in the chamber.

Senator Brodeur introduced President Albritton's district staff, Patty Harrison, Karen Whaley, Kara Lucas, and Jared Richards; interns, Collin Sullivan and Natalia Careaga; former district staff, Kevin Cleary, John Hinchee, and Andrew Liebert; and former intern, Tanner Warwick, who were present in the chamber.

Senator Brodeur introduced President Albritton's friends, Darin and Jen Canary, Karen Canary, Dave and Bethany Davidson, Anslee Davidson, and Diane Warwick, who were present in the gallery.

SPECIAL PRESENTATION

A video tribute was played honoring President Albritton.

SPECIAL PRESENTATION

On behalf of the Senate, Senator Boyd and Senator Berman presented President Albritton with a framed Nolan Ryan jersey with a personalized autograph.

RETIRING OF PORTRAIT

Senator Brodeur: It is our Senate tradition that the first presidential portrait on the west side of the chamber be retired to the Historic Capitol.

Former Senate President Samuel Walter Anderson served in the House of Representatives from 1917 to 1918. He was elected to the Senate in 1918 and elected Senate President on April 5, 1927. President Anderson represented Gadsden County and was a prominent businessman in the area. He was a farmer, sawmill and turpentine operations owner, and President of the Bank of Greensboro. In 1925, he founded Citizens Bank and Trust in Quincy and served as President of the bank until his death in 1950.

UNVEILING OF PORTRAIT

Senator Brodeur invited President Albritton and his family to the front of the chamber where the President's portrait was unveiled by Sergeant at Arms Damien Kelly. The portrait was created by artist Steven Davis of Leon Loard Portraits.

REMARKS

On motion by Senator Passidomo, by two-thirds vote, the following remarks were ordered spread upon the Journal.

Senator Polsky: Mr. President, Missy; from the New York City gal to the citrus farmer, we've always had such a special relationship over these past few years. We couldn't be more different, but I cherish all of our times together. It has been really special. I like you postbeard, I didn't know you pre-beard, so that's a good look. You have always been so respectful of my rants when I come to your office; you listen, you hear me out, you offer suggestions, you're so kind, I love the way you cry, and I love the way you love us all. You're so respectful of the minority party, truly. I love the way you support Israel and our Jewish community; I see

you are still wearing the pin. Whenever we invite you to something, you always come as quickly as you can. I just admire you and the way you have treated us all during your presidency. We all love and respect you so much, and it's been a joy to serve under you. Thank you.

Senator Gaetz: Thank you, President Albritton, for all that you have done for me, for our friendship, and for the conversations we've had when the doors were closed—two guys who just sit and talk with each other. What I wanted to share with you is part of the spirit, loyalty, and behavior that occurred when you were ill. You were hospitalized, and Missy had to take care of you. You were the object to all of our prayers. We lifted you up, and some of us who don't pray as often as we should, prayed a lot more—a lot more forcefully too, because we characterize you as, not just a friend, but as a necessary part of our lives. We love you. I wanted you to know what happened when you were sick. You have a President Pro Tempore whose job is every time he shakes hands with the President you take his pulse. I want you to know that your President Pro Tempore was on the job.

The word that you were ill had not traveled more than an hour. First, President Pro Tempore made sure that you were doing alright and that things were looking up. Then he went around, and it was just so wonderful to see it. He went around and reassured the staff that they would probably still have their jobs. He told us, Senators, he wasn't going to immediately change the parking spaces or the office locations, but that he has us in mind for all of those things. He did redecorate the President's Office, but fortunately it all came down before you got back. He was right there for you, I just wanted you to know that, and all of you know that. Seriously, President Pro Tempore, President Passidomo, Democratic, and Republican leaders led us all in concern for you. The best news of all was when we heard you were getting out of the hospital and you were home. You were in pain, things weren't great, but that Dr. Missy was in charge and that was about the best news.

During the break, I was outside talking with somebody and a reporter happened to come up to me and said, "What do you think of this session? This is your 12th session as a Senator, what do you think? You wouldn't call it a success, would you?" I said, "No, I think we've have our challenges." I wanted to assure you, Mr. President, that as difficult as this session and last session were, and as troubled as I know you are that we were not able to immediately get our job done, that it wasn't the lack of the President of the Senate. You were trying, trying, and trying again. It wasn't for the lack of your leadership, your intellect, of your heart, or of your will. Those were not the items that were lacking. As Lawton Chiles said, "The stool of government has to have three legs, and all three have to stand up." You stood up, and I'm proud of that as a Senator and as your friend.

I know you like to quote Corinthians, and I love that verse, but there is another verse that comes to my mind when I think of you. It's Proverbs 22:29. King Solomon is speaking and he said, "A man diligent in his business, he shall not stand before men, he shall stand before kings." You are a man diligent in your business. As hard, trying, and frustrating as that business has been these past two years, you never, to borrow a phrase, give up or gave in. You continued to be diligent, you continued to do everything that you could, and there is more left to be done. Your presidency hasn't ended; in fact, it hasn't even crested, because so much of what we have yet to do will be done under your leadership, with you handling the gavel.

When you do join Senator Passidomo and Senator Gaetz on the porch, drinking whatever is your favorite, just know that we look at you as a success. We look at your presidency as a model; we look at your will to keep trying as an example of what leadership should be. Like King Solomon, when we look at you, we see a man diligent in his business who shall not stand before men, he shall stand before kings.

Senator Boyd: Mr. President, I won't go back through all the things I kind of remembered as I was giving one of your nomination speeches a ways back. About the math, the voting, the speakership, and the presidency, all of that was good fun. I think the thing I want to say, and I want you to hear the loudest, is having been your friend all these years, it's been a long time, and watching your family grow up and grandkids come. All that you've done here is important, and a lot of it is remarkable. We've had our challenges, you know, unprovoked by you, but we've had our challenges.

The most important thing that I think I take away from this time together and then our friendship that will last forever, is you're a man of faith. You love your family more than anything in this world. I see it in everything you do, everything you say, everything you're about; you care about Missy, your kids, your grandkids, your extended family, your brother, and your mom and dad. That means the most, because when all is gone, all this fanfare, all the things that we've done together, are kind of a thing of the past. That's what you can lean on and that's what you can rely on. You built a wonderful family that loves you, cares for you, and cares for each other. I think that's the best reward you could have. I could say a lot of things today, but I just wanted you to hear that as your friend. I appreciate the leadership and the example that you have set there.

Senator Hooper: Mr. President, I remember in your designation ceremony I was asked to make remarks. I was honored, and I remember part of that discussion was, in my farewell remarks across the Capitol, I gave half of my time to you. Foolishly, I should have given all of my time to you, but I did not. You were much nicer in my farewell remarks than I was. I never forgot that. Then a little over eight years ago, we sat in your office across the way, and we had a discussion. I hope Missy has forgiven me for this chat—she may never—we talked about you coming to the Senate. I was hoping that I was coming to the Senate in 2018. I think I was behind four points in the polls. You were probably only going to win by about 90 percent. I said to you, "You need to run for President." Do you remember what you said to me? You said, "No, you should run for President." I said, "I'm not willing to give up four years of my life to get that gavel—you should do it." You said two things, "I'll pray about it, and I'll ask Missy." That's the way it's supposed to be. Well, God didn't tell you no, and Missy didn't tell you no.

Here we are today and what an incredible two years—incredible in some good ways and incredible in some really bad ways. I remember last session you and I sat in your office, more than once, and while a lot of you were home during extended session, some of us were here. I kept track the last two weeks before we voted on the budget; my next-to-last week was eighty-five hours, and you were still here when I left. Then the last week was seventy-five hours and again, you were still here when I left. Both of us said to each other, "I thought it was going to be more fun." We still think that, I think, because somewhere down the road we are going to go through a budget process again. You got a bad draw, and you deserved a million times better. There is nobody that I would rather go to war with than you. I love you.

Senator Passidomo: Mr. President, Ben, we've been on an amazing journey the last four years. As I was winding down my presidency and you were coming into budget meetings, you were like, "I got this." It was so wonderful to share the end of my presidency with you and then to spend the last two years with you and Missy. In fact, any time we had family on the floor, Missy was with me, because I needed a friend. Those of you who are here don't know what it's like—obviously, Senator Gaetz does—but, you know, eight o'clock at night, it's been a long day, and you're getting bombarded by people with all kinds of requests. You're trying to figure out how to manage everything across the hall. I would come into your office—and I'll never forget the look on your face—you were tired and exhausted, but you just smiled. You were so open to me and my issues. You know, I'd come in crying because of something, and you and Missy were there for me, all the way, no matter what you were going through as President. The reality is—and Jimmy will find that out—you're in a bubble and you don't know what people are saying about you. The world is moving on, and you're in a bubble. You maneuver through that with grace and goodness. I never, ever heard you say a negative word about anybody. Meanwhile, I was waxing poetically, as you all have attested to. He has never said a negative word about anybody in this room. Frankly, he's the one that saved a lot of the bills that I was killing. You're welcome, Jim—well, except for one or two.

We've become steadfast friends. I trust you. I honor you. I want to move to Missy. Missy's your rock. Missy is an amazing woman who is your helper. You know, when he talks about Missy, I've never seen anything like it. It's always been that way. I mean, the bond between the two of them is unshakeable, unbreakable, and magical. So, if you stay in the Senate for two years, she's going to be here with you. If you decide to go home, she'll be with you. You are going to have an amazing life together. I honor that. I love you both very much. I want to thank you for the opportunity that you gave me to get through some really tough times. It wouldn't have happened but for the opportunity that you

gave me. And for that, I thank you. I will always thank you. I love you both. I feel like you're part of my family. Thank you so much.

Senator Trumbull: Mr. President, I'm not sure you remember this, but you were an early House Sub-Appropriations Chair for Agriculture and Natural Resources. I thought it was the coolest thing ever that I got put on a conference committee. Boy, did I realize that you couldn't get anything done doing that. I remember going to you and saying, "Hey, I'd love the opportunity to go sit with you and understand how this process works." You didn't have to take the time to allow me to sit in your office. I remember going through a spreadsheet or two, and that was the first time that I had ever been able to peek behind the proverbial Appropriations budget process. It was wonderful. I bet you don't even remember doing that, but I appreciate the fact that that happened.

Senators, I couldn't do this with Kathleen, but Ben's got a super soft spot—if ever I decide I want to go home for something, all I've got to do is go to Ben and say, "You know, Ben, Brittany's struggling at home, the kids are having a tough time." And Ben's like, "Yeah, yeah, yeah, go home, go home." I appreciate that very much. Ben, when I think about your leadership and service, I turn, as you often do, to scripture. In Psalm 37, it says, "The steps of a man are established by the Lord, and he delights in his ways." Psalm 112 says, "Blessed is the man who fears the Lord, who greatly delights in his commandments." And lastly, Proverbs 20:7 says, "The righteous man who walks in integrity, blessed are his children after him." Ben, in many ways, I feel like a child following in your footsteps. You have lit the way with your integrity making it easier and brighter for those coming behind you. Thank you for your leadership and guidance in this institution.

Senator Jones: Faith, hope, and love. In Joshua 1:9, it says, "Be strong and courageous. Do not be afraid. Do not be discouraged, for the Lord, your God, will be with you wherever you go." For those who don't know that scripture, after Moses had passed, the responsibility of leading fell on Joshua. And even during that time, the people were uncertain because Joshua realized the road ahead wasn't easy. He knew that what Moses had gone through, he didn't want to bear that burden on Joshua, but Joshua was prepared for the fight. Joshua also wasn't clear on the people he was leading, but the people trusted Joshua to lead them.

Faith, hope, and love. The faith part is when you got up there on day one—I'll never forget—you said, "I have faith in this process, and this process will do what this process is going to do. It always will work out." You had faith that would happen. And it did.

Hope: There's an old saying that says a person can live 40 days without food, about three days without water, but not a second without hope. Not only did you have faith, but the hope that complemented that faith. That led us and got us to the place where we are in this chamber. Not only can we agree without being disagreeable, we really, truly became a family. Kathleen built it. You continue to build it. And there's a structure that I believe will happen for years to come.

Love: The foundation of love that you bring establishes and shows your love for your family. I always tell people, "Show me a man and how he treats his family, and that's how he treats people." Sir, how you treat people, Missy and your children, you have a lucky, lucky father. I'm going to end with love because it is the greatest of all. You remind me of my father because my father and I never get off the phone without saying, "I love you." You and I have spoken about my dad and our rocky road in the interim, but now we're strong. But the reason I say that is because, Ben, you have led this chamber with so much love, so much grace. The God that's in you; I see it every single day. We feel it when we come inside this building. I'll end with this. I don't care what type of trouble I get in for saying this. I don't care what you do next. As a strong Democrat, you have my strong support. Thank you so much, sir.

Senator Rodriguez: President Albritton, in a world where everything is so divisive, especially in politics, not just on the national stage but here in our state, you've reminded us that leading with love is the most important thing. You've set the tone for this chamber. You've reminded us that this process is about people. And yes, policy is important, appropriations are important, but making sure that we treat each other with kindness and respect is really the most important thing. You've left a lasting legacy on us, and I just want to say thank you for leading with such kindness and love. Thank you.

Senator Burgess: Ben, I'm going to speak to Missy as well, you rock. Raising young kids in the process adds an incredible complication and dynamic to how much goes into being up here, time away from home, and how you navigate that. Trying to be a good father, a good mother, a good spouse, and provide for your family while you're also trying to serve your community and your state—it's hard. So, to both of you, I hope you know that you have been one of the greatest, if not the greatest example of how to balance all of those responsibilities to Courtney and me. Missy, you have been an incredible mentor to my wife. You have shown her how to be an incredible mother and to be present in this process and somehow find time to support what I'm doing up here. It's been amazing. You've shown us that we can do it together. That's been the most beautiful part.

I love that the song you chose, Mr. President, about leaving a legacy, because when I think of you, I think of your children. I think that the truest measure of a man and his character, despite all that goes on in this building, all the noise, the truest measure is through your kids. When I see your kids—I know there's probably been challenges—Courtney and I, literally see perfection. I'm pointing at Ryan, but I know your other kids are over there. We see the kind of kids that we could only hope to raise and that we'd be blessed to be the parents of. And that example that you've given us is just profound. I hope you know that you've given us, not just the courage to pursue this and everything that comes along with it, but you've also helped us have the courage to take educational leaps that maybe we wouldn't otherwise have chosen with homeschooling our kids. So, your example has meant more in our life than you will ever know. I love you for that immensely. I appreciate all that you've done for us and all that you represent to this process.

Senator Berman: It's no secret that about a year ago, our caucus was in crisis. We had an unexpected event happen here on this chamber floor. I had to decide whether I wanted to step forward and be the Leader. A big part of my calculus was knowing that I would get to work with you. It really helped me knowing that you had been so supportive all along. On that very day, when we had that crisis and I was elected Leader, I called you. I don't know if you remember, but the first thing you did was come to the Minority Office. You showed up. It gave us the ability to be able to move forward and know that we had your support, and that we could all work together. You have always been willing to listen to us, always willing to work with us. The adjectives we've heard today—kindness, respect, love—have always been a part of our relationship. I am so grateful for that. From the very first minute, the way you responded until today, it's always been such a joy and a pleasure to be working under your leadership. I want to say we talked a little bit about the budget, and we're having the same issue we had last year. Reporters are asking all of us what's going on. I always tell them that you are the adult in the room. I truly believe that. Because of that, you know that we are always all Team Senate, and we appreciate you being the adult. We will be there for however long and whatever it takes to get through this because of your leadership. Thank you.

Senator Leek: Ben, I kind of speak as an incoming freshman here for all of us. We don't know what to think when we come to this chamber. In the House, we're told the Senate is wrong. In the Senate, we're told it's much better to be here than in the House. You never really know until you get here. For somebody who didn't have to be, you're just such a generous person. You're so genuine, and you're so authentic. So, from an incoming freshman, I've got to tell you how welcoming both you and Missy were to Michelle and me, and we are so grateful for that. I mean, sure, sometimes the hugs get a little bit awkwardly long, but you are a very good man. I am honored to have served with you.

Senator Rouson: I'm not the preacher that Shevrin Jones is. I can't necessarily quote scripture. But I remember three things. First, I drove two hours to meet you for lunch in Wauchula at Taco Express, and you sat there and ate "them hot tacos," with your face turning red. You were saying, "Ooh, this is good." I said this is one tough cookie—eating that hot sauce on "them tacos," and let a tear come down. It reminded me of my mother—the way she used to eat crabs. It wasn't good unless her nose was running, her eyes were tearing up, and her face was turning red.

The second thing I remember most about your leadership was during a tense time in committee, and I wasn't even on the committee. I went to the committee room to show support because Rosalind Osgood was about to lose it. Jennifer Bradley had already lost it. Madam President sent you into the committee room. You went to each member and

whispered something in their ear. I don't know what it was to this day, but it calmed the room, and we realized she had sent the right man in to do that.

You have always respected the rights of others. I'll never forget how one time you walked the floor of this chamber during a particularly tense debate, and you hugged each member of the minority caucus—the minority within the minority. You said everything was going to be alright; and in fact, it was. You kept your word whenever you said that. I just want to say thank you for being the kind of leader that you are; the kind of family man and role model that you are; for taking care of family; and taking care of business at the same time. It's been a pleasure to serve with you. God bless you.

Senator Gruters: I know I don't normally speak, but I figured with only a couple of weeks left, I need my projects funded. You're sitting right next to me. You know, we became instant friends 10 years ago when we first met. We had a lot in common. Our districts are right next to each other. I was excited to come in as soon as I heard from Greg Steube that he was leaving. I came into your office and let you know that I was going to be running, and that I was going to be on your team. And now here we are at the end—the very last week. What an amazing eight years it's been to serve with you. People talk about love and grace—they've talked about that the entire time. You have such an amazing and huge heart for everybody. What people don't understand is the fact that you advocate on behalf of all of us. I know you've gone to bat for me. I love you. I said that yesterday. You are a superstar. What's also great about you is the fact that you have so much passion. It's been mentioned about your family, but also what hasn't been mentioned yet is, the rural communities. You know, I can say as a coastal community Senator, I couldn't really care less about the rural communities, but I'm happy to support you. And citrus which has pretty much been on the downhill trajectory for decades—you single-handedly pulled the nose up. That's all because of you. Your leadership, your passion, your willingness to fight for what you believe in. Again, I love you. I love the fact that you're my friend. I love the fact that you've advocated for me. I'm so glad that I was able to spend my eight years right next to you throughout this journey. Thank you.

Senator Davis: Wow, just listening to everything, the words that keep coming back—grace, mercy, and love. You guys know I'm going through a little journey. When I decided to start talking about this journey, I got a call in my office. "Where are you? I'm going to come down." I asked my staff, "Why is the President coming to my office? What does he want? What have I done?" "He didn't say. He just wants to talk to you." "OK." He shows up. He says, "Let's talk. I'm not talking about political stuff. I'm not talking about bills or legislation." He said, "Let's talk. I want to know about you. What's going on with you?" I said, "What have you heard?" "I know a little something." I said, "I'm going to be alright. I'm going to be good." He said, "You know I love you." We all know you love us. And that's why we love you like we do. You see so much beyond this process, what we're doing here in this chamber. You love us to the core. That's why this chamber has been do-or-die, because we trust you. Whatever the end is going to be, whenever the end is going to be, this chamber supports you. Because whenever the end comes, whenever you say it is, we trust you. We trust your judgment, because we know you are making decisions for us.

That was the first meeting. The second time I was called to the office—and I don't have any bills going at this point—he says, "I want to talk to you. I just want to check on you and see how you're doing." I think I was the only one in the room not crying, and this time we had Andrew with us. You know Andrew. "How are you doing? How's it going? Tell me what's happening." I shared the details and did my best not to cry. Because what did I tell you all? I'm going to be alright. But he just wanted to know how I was doing. That means more to me than you'll ever know. Then the third time—I think it was when we found out that he was in the hospital—the next time we saw each other on the floor I said, "This is not a competition! We don't have to try to figure out who's going to win by being in health challenges." And at that time, he was like, "Well, are you sleeping?" I said, "No. I kind of sit up. I don't know why. It gets the best of you. You start thinking about things." He said, "Well, Missy bought some great spray, and I'm going to have her pick it up for you." I think when people say 'man of your word' they were meaning something different, but I sure can say you are a man of your word. I think within the hour, if not the next day, the spray was in the office. She was asking if I had picked the spray up. It worked really well.

I can't add any more to what's already been said. I just wanted to stand and add my voice to the man we care about. The man who's loved us beyond this political process. And the family who's taken all of us in as their own. Your legacy here goes beyond you. And we will truly miss the love that you have for each other. I am not going to say anything about the hugs, because I actually like the hugs! I'm a hugger, too. Stay over there, don't come just yet! I'm not done. But if you've never had one of those hugs, being a hugger, you know that hug, that embrace he gives you is him saying, "I'm here." And for someone who is going down a journey, that's probably the hardest thing about life that I've ever encountered. Those hugs make me feel like I can do anything. They also make me feel like you're right there with me, every step of the way. That's what I remember. We love you. We're going to miss you. When you think about it, just hug Missy, and the girls, and know Tracie wanted that hug, too.

Senator Wright: First of all, I want to thank you for your Christian leadership. I like to think of myself as a Christian. I don't profess to it as much as you do, and I'm glad that you do what you do every day. Where I sit over here, I usually get to interview and talk to the minister, the priest, whatever, each day, and I always thank them for bringing God into our house each and every day. I'm just very thankful for what you bring to us each and every day. You are an example of a good family man. My family is so scattered. I can see in your family and in your life with your wife, Missy, that you are a good family man. And what is the most important thing in this world but family. They're always there for you, no matter what. Senator Rouson, I was surprised to hear that you also dined at Taco Express. I thought I was the only one that dined at Taco Express. I remember setting a plan—it took half a day just to get over to Wauchula from the East coast. The President said, "I'm taking you to my favorite diner." I was excited. It was going to be a really great time. Then we went to the Taco Express. I ordered two tacos, and he said, "That's not going to be enough. You're going to need more because these are not that big." So, we went for a total of four and, by golly, I did eat them all. They were really good.

Missy, I just want to mention to you how much my wife enjoys the spouses' events all the time. It makes it better for us, being we don't have children. We're very close to each other, and each day she is here with me. Because of the spouses' program, she is not bored. If she is bored, she usually looks up Lee Hooper, and they go shopping. That costs Ed and me a lot of money, so we'd rather that she comes to the spouses' events.

When I finish my talks in my community, I like to remind them that we need to get back to loving each other, respecting each other, and taking care of each other. Because I think we've lost that way in our country, and we can do better. I wish I could take more of your load, sir, if you have any that I can shovel for you. This is a tough time. Last year was a tough time. It's not your fault. I, too, think the adult is on our side of the family. Thank you, sir.

Senator Calatayud: Mr. President, Missy, I want to say thank you for welcoming me into your home. Thank you for spending all the time you did with me, showing me your community. I also got to dine at the Taco Express. The lengua taco is the best, I agree. Thank you for showing me your world. How would I have known if you hadn't spent all that time, understanding that this is a really big state with so many different important interests, industries, and different types of people who love their family just as I love my family; just the same as all of us from different parts of the state. I have to say just a magnificent thank you for expanding my world and my worldview. When we were doing Rules Chair Passidomo's farewell, we talked about nos. I want to thank you, Mr. President, for the nos that you have chosen this session and the prior session. Sometimes, we talk about all the yesses. There are things you decided not to do. There is not always a time to honor that; I want to honor you for that and thank you. What we choose to do here is not what we decide to pursue all the way to the end. Sometimes, what we decide does not go; does not move, and that is also leadership. So, I want to say thank you, sir, and say it has been an honor to serve under your leadership. Thank you for your core values that you have made clear from the beginning of our time for these two years. I don't know how long we will go from here, but we're with you to the end of the line. Thank you for your leadership, sir.

Senator Massullo: I was with you in 2016 and 2018 when you were Chair of Appropriations in Natural Resources. I went to you and asked you for some money to help clean up Crystal River. At that time, I knew

we both shared our love for natural Florida. You have continually, through all your work, in all the time I've known you, put Florida first; put rural Florida first; put what we have here first, to be able to protect it. But you were a different person then. All the things that were said by everyone—everything is true. But you were different then. See, as we mature in our lives, we go through periods of sanctification, and I've seen that in your life. I've seen it through your heart. I've seen it in the way that you've loved people. I've seen how God has worked on you; has worked with you through hard times, through times of desperation, recently through your health. And as he's done that, I've seen his spirit more in you, more in you even today than it was just a few weeks ago. It's such a beautiful thing. You do love us all. You know, Ben would come and give me a hug over in the House, and say, "Oh boy, I just can't wait—someday maybe you'll be here." I thought I was special. But then I get here, and he's doing that to everyone. Because we're all special to him. Love is like an envelope, and in this chamber, we are in that love that you basically illustrate each and every day for us. So, all the things you've done, the fruits of your labor, of your sacrifice will be part of your legacy—whether it be more oranges that are going to start growing in Florida, or the efforts of each and every individual woman and man in here, and the lives that they'll live. When I look at that picture up on that wall, I might not remember all the things that you've done policy wise, but I'm going to remember when the spirit of God works in a man's heart, he can be something incredible. And that's my word for you today: incredible. Thank you.

Senator Garcia: I didn't get Taco Express. But you got paella. Remember Dolores But You Can Call Me Lolita? We also did Via Italia, and that was the first time that I had the opportunity to sit with you. I had just been onboarded. First, there was President Simpson, and then it was President Passidomo, and then you arrived. My three pillars in this amazing journey. As I had mentioned yesterday in our get together, I'll take it—the good and the bad. You were there from the beginning, in the moments when I didn't think I could—but you were there. You were always there. Always with something kind to say, reinforced by actions. Some people say wonderful things and promise lots of things, but you were always there with your actions. I so appreciated that.

I am the queen of memes—I love to send out memes to everybody. Everybody knows that. Senator Simon gets bears. He knows why. Some people get cats. It's something that I enjoy. You and I, we share verses. I want you to remember one that I sent to you a couple of months ago by Dr. Seuss. It says, "Don't cry because it's over, smile because it happened." That's what we need to remember. Our first meeting in Miami, how you supported me—I didn't know how to fundraise, I didn't know how to ask people for money, and you helped me through that first campaign, which was crazy. Then, after being elected, during, and now, and hopefully after as well, I can always count on you—I really can. I really feel that. Missy, you're so blessed. Everyone would want someone like Ben as a partner. I am so proud of what you've done in this chamber, and I say it repeatedly, President Albritton, Ben, because I have watched how you have allowed everyone in this chamber to participate. Everyone here made sacrifices. We watch our children grow, right? We watch our parents age. It's a sacrifice. What you want to do when you get up here is participate in the process, take something back, and know that you made a difference in people's lives. And you've allowed that. If there's anybody who's allowed that, it has been you. President Passidomo, as well, and President Simpson. But you made that your focal point to make sure that everyone got bills across the finish line and appropriations. As for this very challenging moment—it's not just now—I assure you that from the moment that we were born, this moment was already marked for us. A challenging moment. And that says a lot about us as people. As I had mentioned, during President Passidomo's remarks, the good times, that's easy. It's during the bad times when you know who's who. I'd like to remind everyone what President Albritton did for all of us, getting to this point. And how he did it, as Senator Rodriguez mentioned—he did it with love; he did it with patience. I'll never forget how you helped in whipping votes, in making sure that I got my laws passed, like the Nancy C. Detert Act—you know how important the kids and the seniors are to me. No patient left alone. You were there the whole time and I appreciate that. We'll never forget that. Once again, I remind everyone what it was like leading up to this difficult moment. He was there delivering. Now, he's the adult in the room. Now, we just sort of have to wait this out, but also be grateful for what he did prior to us getting here. What it's going to be like moving forward, which I'm sure will be positive. I can't thank you enough for your grace. Once again, when I doubted, you didn't. Neither

did Senator Passidomo, though she busted my chops about it. I must mention again President Simpson, as well, because the three of you worked very, very well together. I'm looking forward now to President Boyd, and future President Trumbull. It's all you and all Senator Passidomo and with President Simpson—we are a product of that. Thank you, sir, for your leadership. Thank you, Missy, for sharing him. I love you, Ben.

Senator Arrington: Mr. President, you sure are different, and I mean that in the highest regards. When I came over when I was elected, you were one of the first calls congratulating me. And your calls and your text messages over those first few months—I received more calls and check-ins from you than I did from two Speakers over four years. I wasn't in trouble. You were just checking in on me—asking what my priorities were, testing my pulse on issues—but always had an open mind and you always were accessible. In the first week we came and got sworn in, I said I really want to meet with you. I want to sit down—I know it was a busy week—but the day after swearing in, we met in your office. I'll never forget that meeting. I walked in, and you were in a hat with your laptop with a bunch of stickers on it. I said, "This guy's Gen X. We're going to get along just great." You were so kind to me. You told me that it was different over here, and you were right. You asked what my priorities were. I don't even think I had gotten back to my office, and I had staff calling me. Andrew was reaching out wanting to know how you could help and what we needed to do. I was like, "Wow, I'm going to really like it over here." You just continue to be that way with all of us.

Even though these last two sessions have been unpredictable, sometimes chaotic at times, I have had wonderful sessions. District 25 has had fantastic sessions because of you, your leadership, the team, and the entire Senate. When people stop me in the hallway or see me on the street, they're like, "How's your session going?" I say, "Fantastic." And they look at me like, "Are you crazy?" I think you even looked at me a couple months ago when you asked me how things were going and I said, "Wonderful." You looked at me like, "Really?" It truly is because no matter what's going on outside these chambers or outside this building, here, we are listened to. Our districts are a priority, and we are able to deliver and bring home for our community—no matter our party and no matter what's going on. That is all because of you. The thing that you have told me, taught me, and shown me—I will never forget and I will always carry forward to new members—is that the Senate is a family. I love you all. I love you, President Albritton, for showing that; for making me feel so welcome; and for two great sessions for myself and for District 25. Thank you.

Senator Yarborough: Mr. President and Missy, Jordan and I have so enjoyed getting to know, of course, both of you, but your whole family in this process. Thank you so much for your love, support, and encouragement for us. I know the grandkids and our boys have had such a fun time up there—they are the ones y'all usually hear going crazy up there when we're here on the floor. So, I hadn't thought of this, but it just occurred to me—we didn't go to Taco Express when I came. You took me to a sandwich shop. Why didn't I get to go to Taco Express like everybody else did when I came down there? I'm just kidding. That'll be reason for another visit. I can't remember the name of it, but it was good. It was on the main road there, I remember.

The two things that won't come as a surprise to anybody about the man who Ben Albritton is—when I was freshman in the House and he and others were seniors. You know the upperclassmen can be a little intimidating when you first come in as a freshman House member. We met at a function, but we did not really spend any time together. Like all the other freshmen up in the "Tower of No Power" up here behind us, we were something! So, I'm in there working on something—it was so important. I can't even remember what it was now, but I heard a tap at the door. We might have been between committee meetings. I looked up and you were standing there. You said, "Hi, I'm Ben. I just wanted to come and say hello to you." You were working around—you hadn't just come to see me, but it meant a lot and I've never forgotten that. You were the first one to do that of the upperclassmen, and that began a very good relationship that we still share. I appreciate that. Senator Arrington mentioned about paying good things forward—I'll certainly do my best to emulate that. The other thing is, you're known across the state; you're known in all our districts. Some folks back home in Jacksonville and in Northeast Florida have asked, "Well, we've heard of Ben Albritton, but what's he like? Who's this Ben Albritton over there?" It reminds me, at the end of the day last session, I'd stopped by, and you were still in your office. I poked my head in just to say bye for the day.

When I walked in, it might have been 5:30 or 6:00. There were papers strewn all over the conference table. There was a half-eaten sandwich in a to-go box right there. You were sitting at the end of the table. Your tie was loosened a little bit. You're pouring over budget and policy and everything in-between. There was an open Bible sitting right there on the table. I've told that story to so many people. That speaks to the man that you are, and other members have said it, too. But your fear and your faith—fear in a good way, in a reverential way—your fear is in the Lord, your hope is in the Lord. You have led us with distinction. Thank you for the godly example and influence that you have been for us. That's going to impact Florida more than so much else that we have done, for years to come. There are those who won't even realize it. You have been willing to stand in the gap. You have been a godly man, an example. We are so much better—we are better as people; we are better as a body. Florida is so much better. Its future is better thanks to you and your leadership. I love you. Thanks, Ben.

Senator Bracy Davis: Mr. President, my first memory of you was at Senator Thompson's funeral. The Black Caucus had determined that we were going to wear all black with a kente cloth stole. We were at the funeral and the Black Caucus was sitting in the first couple of rows. We were all poised, kind of breathing heavy, and taking in the moment. You were new in your administration, and I had never had an opportunity to meet you. I can't say I knew who you were or what you looked like, but in comes this 6-foot plus white man wearing all black and a kente cloth stole. I'm looking at my colleagues, looking at the Black Caucus, and wondering what am I missing here? It wasn't until I became a Senator that I realized what that moment meant. It meant we are a team; it meant there is no division; it meant there is no Minority Caucus; there is no Black Caucus at this moment because we are together. If someone is going to stand and honor Senator Thompson while wearing all black and a kente cloth stole, then so will the President. That meant so much to me and showed me what your leadership would be like when I became a Senator.

I remember the poem, *If*, by Rudyard Kipling. I'm sure Senator Rouson knows it by heart and could quote it if you asked him to. There is a part in the poem that talks about walking with kings, but never losing the common touch. I think that is a testament to your leadership, but also a message to what all of our leadership should be. We should be able to walk with kings and queens, but never lose the common touch. Never forget about the Minority Caucus. Never forget about the small people. Never forget about the rural communities. Thank you for your leadership. I am honored and humbled, that even for just one session, I was able to experience the great President Ben Albritton.

Senator Burton: President Albritton, as you know, we've known each other since before I was elected. Since I've been elected, for those who don't know, I have had the honor and privilege of serving on the Polk County Delegation with you. When I was thinking and listening to all of the kind remarks today, and even before, I thought about what I would say. I think I've said a lot about you publicly before, and I knew you would tell everybody you loved us, because that's what you do. But when you say it, you mean it. They are not just words to you. I've seen you at home and in delegation meetings, and people are really intimidated when they come to those delegation meetings. It's intimidating to stand up there at a microphone and talk to us. You treated each and everyone of those individuals like you treat everyone else with love and with respect. I won't tell you that every now and then the rest of the delegation wasn't a little frustrated with the time it took you to tell everybody that you loved them all the time. You showed us all how you lead with love by example in the way you respect every single person that came up. Nobody in a delegation meeting is able to quiet somebody who comes to a microphone and be a little animated or upset at an issue or all of us, like President Albritton. I watched it happen.

That love that we hear about, and I know you say that people feel, is also demonstrated by the folks along the wall over here to my right and a few that are sitting up above. They are either your current staff or former staffers, who are miraculously still in the process somehow, because they love you too. People love you back, and people don't love you back unless you are consistent. Your crew is close to you all the time, and they know what to expect. I think we all do. I have certainly come to feel that way. I think it says a lot about a person when not just your current staffers, but your former staffers and certainly your family, are here with you today. It's just a visual representation of you and your dedication to people all across this state, to the community where you grew up, and to the part of the state where you grew up.

I've gotten to know it in the decades that I have lived in Polk County. Much of the artwork that we have seen since you have become our President reflects orange groves and citrus. While I didn't grow up on a citrus grove, you can't represent that area or individuals without developing a love and appreciation for the culture, for the families, and the dedication to others that you represent every single day. That's part of you as well. Multi-generational families in the heartland of Florida are looking to you and have looked up to you for many, many years now. They've been amazed and grateful that one of their own said yes; yes to the invitation to run for office in the first place; yes to the invitation to take up a leadership role, and specifically here in the Florida Senate.

I'm going to say that on the behalf of all of us who live in the middle of the state and the rest of the state, but certainly for your staff since they won't speak today, thank you. Thank you for consistently being you all the time—in easy moments and in difficult moments. I knew you before I came here, and I know I'll know you for years. You're the kind of person that we are close enough, geographically and personally, I know I'll know you forever. Thank you for the sacrifice that both you, Missy, and your entire family have made—Mom and Dad and everyone who is here. On behalf of our state and this Senate, we appreciate you.

Senator Simon: I'm going to start this way, because I know how you would start this. Missy, you are his rock; you are his Proverbs 31 woman. I am starting with you because outside of Christ Jesus, that's where this starts. You have meant so much to our family. My wife says this all the time. There's only a few people that she feels comfortable being herself around, and you fit that mold. Every time our families are together, your heart allows her to be who she is, and I thank you for that. I thank you for allowing Ben to go down this journey because I truly love how you love each other. After all this time that you all have been together, it makes my heart smile because when I sit across from you all—we are sitting out at dinner or wherever we are, he's holding your hand or you are stroking his back. It's something to aspire to as a husband. Through the kids and the grandkids, you all have found a special time and place to carve out a love for each other, and that's important. That's probably most important through this process, and so I thank you. I thank you for allowing Ben to be Ben.

Ben, man this pollen in Tallahassee, I swear I can't stand it. Coach Bowden used to challenge us. He said, "Men, you can be a thermostat or you can be a thermometer." He said, "You can be a thermometer and reflect everything that goes on around you. Go with the ebbs and flows of the temperature that surrounds you, or you can be a thermostat. You can raise the temperature, or you can lower the temperature in every room that you walk into." Ben, in politics and in this building, in this bubble, sir, you have been consistent in lowering the temperature in this chamber.

I am so proud of you. I sat in your office the day that you were getting ready to take your picture for the portrait. I will tell you I wasn't looking forward to this day. Because you have been with me through some of the toughest times of my life. You've shown up. Even when I said you didn't have to. "No, don't worry about it." You showed up. After three hurricanes in 13 months in my district, you showed up. Not only for me, but the folks that it impacted in my district. Last year, after the mass shooting at Florida State University, I was driving home after I left campus. Seeing all of those young people shaken to their core and seeing what I witnessed on-camera of lives being lost, all you asked was, "What's your address? I am on my way." That meant a lot, Ben. There were some sleepless nights, and each time you answered the phone. My mother was laid up in a hospital bed. We didn't have a whole lot of answers at the time. You and Missy, you showed up. That is why I have my fan on, because my eyeballs are starting to sweat. I'm going to miss you.

Although you aren't going very far, God, I hope I can convince you to stick around a little bit longer. Because sitting in these chairs, it gets a little tough sometimes. It gets lonely sometimes because the magnitude of the job that we do is not just in this building. We get caught up in this bubble that we live in, and sometimes we don't really get a chance to understand the impact of the lives that we touch. You, sir, always understand the impact. The impact is the first thing on your mind and it's for the parts of our state oftentimes that get forgotten. You never forget.

Ben doesn't allow folks to have surface relationships with him. He doesn't believe in them. Everything is deeper. Everything is of concern. Sir, this process will miss you. We are still going to hang out. We are

still going to have a great time. You have become my best friend in the whole world. They say you can't pick your family, but you can pick your friends. My friends are my family, and you are at the top of the list, my friend. Thank you. Thank you, for making sure that love is the thing that means the most inside of this chamber. I am going to miss you.

Senator Smith: Well, I guess I must start with I'm sorry, because trying to put into words the power of your leadership, President Albritton, is anything but brief. "You are valued." "The greatest of these is love." I have heard these words from you many times, but they are not just words. Under your leadership in this chamber, they've been a way of life for us in the Florida Senate. They've been concrete actions that you have taken. I know that early on in my service in the Florida Senate, you shared with me that several people asked you, "Ben, what are you going to do with Senator Smith?" And you told me that you shared with them that you weren't worried about me; that I was going to be a Senator on day one. President Albritton, I can tell you that after serving in the House for six years, it is hard to put into words what it feels like to have the presiding officer of the other party stand up for you; what it feels like to serve in an institution where everyone can thrive, regardless of party. And what it feels like—and I hope I don't get you in trouble with this—what it feels like to have you defend some of my ideas behind closed doors. It is inspiring and gives us all the motivation to do everything that we can to continue to serve and treat each other like family. That is the environment that you have created, sir, under your leadership. I have felt it. Jerick has felt it. All of us in this chamber have felt that. Thank you for giving me the opportunity to serve as a Vice Chair—they don't do that down the hall—Vice Chair of Criminal Justice. Every day, I get to kick Chair Martin around. He likes it. Everyone knows that. Thank you, Missy, for your kindness and for sharing him with the Florida Senate. Years ago, in the Florida House, I asked you a series of tough questions on the House floor. I finished by telling you that you were my favorite farmer. President Albritton, you are still my favorite farmer. And, as the Golden Girls used to say, "Thank you for being a friend." I love you. Thank you.

Senator DiCeglie: Mr. President, I'm going to first talk about your leadership, and then I'm going to tell a couple of personal stories. Number one, your leadership in this institution is inspiring. God, family, and country is how I would describe it, and that's an inspiration to each and every one of us. To see your love—you and Missy's love—that is also very inspiring. I look up to you and your family and what you represent. I want to thank you for that. I want to thank you for believing in me, and placing me as Chair of Appropriations Committee on Transportation, Tourism, and Economic Development. I can tell you that anytime I see the word "rural" and what that means, I think of you. I think of your efforts in that part of our state that members like me don't represent. But I represent those individuals through you, and I want to thank you for that. It's never lost on me.

A funny story—it seems like forever ago, so much has happened since then—but it was just after the 2024 Session, and I called Ben. I told him I wanted to come to Wauchula. So, we set a date, and I went and spent the whole day. And he said, "You know, Nick, I've got to tell you, nobody has ever invited themselves to Wauchula before." I said, "Well, great, I'm glad I'm the first one that ever did that." I don't think I've ever invited myself anywhere like that, but I wanted to come. I wanted to spend time with you and see where you were from. Because the area I represent—it's much different in Pinellas County, one of the most densely populated counties. Although we do have Pinellas Park, and sometimes you'll think you're in the middle of Wauchula rather than Pinellas Park. That's kind of why I love Pinellas Park. It's great. I appreciate that.

I think, Ben, honestly, I could go on and on with a lot of stories, but there was one day that I'll never forget. It's the day you came to Pinellas County. It was scheduled for a couple of hours to come visit me in my district after Hurricane Helene had come through. It was about 10 days after that horrible night. You didn't spend a couple of hours; you spent the whole entire day there with me. You talked with my constituents with me and you, and I both were there to listen. We were there to take notes and you were great. Every single constituent that we spoke to that day—somewhere along that conversation, you said, "You've got a great Senator here, one that cares about what you're going through because he's going through it himself." You did that 100 percent of the time, and I love you for that. That meant the world to me. I remember even in that conversation, we talked about the lack of beach renourishment at that time, which really could have contributed to the flooding that we ex-

perienced that night. While we were going from one location to the other, you got on the phone from Andrew Mackintosh. You started brainstorming about what the state could do in relation to that beach renourishment. So, it didn't take a couple of weeks or a couple of months to start that work. It was right there on the spot, onsite that you started working for me and my constituents. I still tell that story of you coming down. It meant the world to me, and even more importantly, it meant the world to my constituents. I want to thank you for that. I think that one of the words that I will always correlate with you is "love." You have brought love to this chamber amongst all of us. I've only been here four years, but I think that with Kathleen's leadership—her two years and your two years—that love of family spread not only amongst yourselves but also amongst our own families. It means something, and it's important. I want to thank you for your leadership, and I want to thank you for your friendship. We're going to be friends forever, man. That's a no-brainer. You know, I wanted to say all those things to you because it means a lot to me. There's such a common denominator here in the way you've impacted all of us in such a unique way. It's great, man. I love you.

Senator Bernard: President Ben Albritton, I just want to say thank you for your leadership in the Senate and, specifically, thank you for your leadership in the work you have done for the State of Florida. We met over 16 years ago in the House. I want to say a special thanks to you for not just the coastal communities, like Senator Gruters said, but for the rural areas of the State of Florida, specifically Palm Beach County. I'm always praising the Glades communities. I want to thank you for continuing to fight for the Glades communities in Palm Beach County. Thank you.

Senator Grall: I just have a few things to add. It's always interesting to sit here and think back to that first time that we met or our first interaction. For me and you, that was when you found me on the floor as a freshman in the House after you figured out that I was the one running pro-life legislation. You sought me out both years. "What are your bills? I want to co-sponsor them. How can I help?" And it's your heart for life, Missy's heart for life, your family's heart for life that is what I have my trust and faith in. It's you, it's where you are, it's where you're grounded, and I so appreciate that, and I always have. You demonstrated that to me with me having no rank, but you showed me your heart that early. That continued when I was that girl from the coast who looked to take over a few of your rural districts. Unlike Senator Gruters who obviously does not care about rural communities and is not ever concerned about a redistricting issue, my heart went to those communities immediately because, frankly, that's what Indian River was when I was born—it was one of those rural communities. I have never heard a question from anyone in the communities that I now represent about what I was going to be able to do, and how I was going to replace you. You could have poisoned that well, and instead, you held me up. You had faith in me that I was going to be able to serve those communities as well as you could, knowing their issues so much better. I'm grateful for that, so grateful. I'm grateful you don't like to spar the same way that Kathleen likes to spar. You're just different. Clearly, that's something that I enjoy a little bit more as well. You haven't run away from it with me—you've allowed me to pull you into some heavy debates over policy, and you don't run away. You hear me, and you know when I come to you, I'm coming to you from a place of pure heart, trying to get things right. I just appreciate your openness to that and how you have—I think we've heard it time and time again—you have let all of us be ourselves and try to figure out how to thrive in this place. You have supported that, and I'm grateful.

The last thing that I will say about the hugs—they're a little long. As I was listening to people today, I was thinking it's funny how parenting always comes into some of this. With adolescents, the hugs that they give right now are not very good. They're just not the same—they want to quickly get out of this. I read something recently that said you need to hold on until they give in to it—until they give into that hug and they know totally that their heart is yours. Their pain is yours to take. My kids can tell that I'm doing it, but once they give in to it, the love that surrounds them, the love that is given back to us, and the support is real. It's meaningful. It's really showing up. It's not giving the hug for the sake of the hug; it's knowing that you're needed. You know that you're needed, and you have pulled us in until we give back and feel that love. I'm so grateful for that. They are really long, and I'll give in quicker, I promise. I appreciate what you are doing and how you have handled this leadership role and this chamber. I'm grateful to have been a part of it.

Senator Osgood: I stood here and got really confused. I thought I was going to Wauchula one day to get some homemade butter pecan ice cream, and everybody's talking about this taco stuff. I'm trying to figure this out.

You know, love is a word that we hear often. I thought about LL Cool J back in the day. He would talk about how he needed love. Tina Turner, after leaving Ike in a very abusive relationship, moved to a whole other country and declared, "What's Love Got to Do With It?" Many of us saw the movie with Martin Lawrence and Lynn Whitfield that says there is a thin line between love and hate. Gladys Knight was on this mysterious train to Georgia, and she got off that train to Georgia and started singing about her love being overboard.

Those of us that study Greek know that the Greeks taught about four different types of love: Eros love, that's a romantic love; Phileo love that I love you because you are my friend; Storge love that says I love you because you are my family; and an Agape love. Those of us who read the Bible and study the Bible know that love is a serious thing when it comes to our God. John in his first epistle says that we love because God first loved us. He also says that those who do not love each other do not know God. Somewhere around the fourth chapter, sometimes I know where the house is but not the exact address.

But you, Mr. President, chose as your guiding theme—the powerful words of the Apostle Paul from the first epistle to the Corinthians 13:13. "And now these three remain: faith, hope and love. But the greatest of these is love." The Apostle Paul is writing to the church at Corinth. He's speaking to a community that's struggling with division; a community that's struggling with pride, fighting for social status and power; a community that's using competition over spiritual gifts. He begins to address these issues with them. Paul concludes with what I believe is one of the most profound theological truths. Faith, hope, and love remain. But the greatest of these is love. And throughout Christian history, we've seen theologians reflect on the meaning of this passage.

Augustine of Hippo was one of the most influential voices in the Christian tradition—and he teaches that these three virtues summarize the entire Christian life. And Augustine puts it simply this way: Faith teaches us what to believe, hope teaches us what to desire, but love teaches us how to live. And he offers a powerful insight about eternity. He says in heaven, faith will no longer be necessary because you will see God face-to-face. Hope will no longer be needed because what you hoped for will be fulfilled. But love, love will remain forever.

This is why Paul says love is the greatest gift of all. It's not temporary; it's eternal. Through his great spiritual leadership, Howard Thurman reminds us that love is the most transformative force in the entire world. It's the power that can heal divisions and move societies toward destinies.

Many women as theologians remind us that love is also the force that sustains communities, especially in difficult times. Love feeds families, strengthens neighborhoods, and binds people together when the challenges of life might otherwise pull them apart. I think about that email I got in the wee hours of the morning about you being in the hospital. It rattled me. And I began to do what I do. I started responding with a prayer. I was so into my prayer that I thought I was responding to the staff person who sent it to me, but I hit "reply all." I got a little anxious because sometimes people don't like receiving prayers. You know it might not be their faith position. But with the culture you created, the next day I got nothing but positive compliments and other people that talked about how they were praying for you and Missy.

I feel so blessed to be in this chamber having served with you and Senator Passidomo because I get an opportunity to show up every day and be a part of the triple threat. I love basketball. They have this basketball play they run called the triple threat. The Miami Heat was excellent at it when they had Dwayne Wade, Chris Bosh, and LeBron James. The triple threat play allows you three options on offense. You can either shoot, you can dribble, or you can pass. When I come to this chamber, it's a triple threat. I have God, I have you as a leader, and I have the Senate team. What's so amazing to me about it is that some days I shoot my own shots, and I score. Some days, I dribble through the Senate talking to different people. But there are some days that I pass to win. And not only do I pass sometimes to my caucus; the climate that you created allows me to pass to my team members in the other caucus who are willing to help me score.

Mr. President, as I reflect personally on your leadership, I see you live out the virtues of hope, faith, and love. You don't only speak about it; you live it out. We know that we have learned from you that faith is the possibility of public service. Hope is in the future of Florida in the decisions that we make. And the love you show demonstrates for us that we have been called to love the people that we serve. So, in other words, faith guides our convictions, and hope inspires our vision. But love shapes how we lead, and you've certainly loved us in good times and bad times.

What really blows my mind is I think about the Bible. I think about all the things that we do; all of the accolades; all the achievements; all the accomplishments; and we try every day to be the best people we can be. But the Bible gives us one simple measurement tool. And it says: "They will know that you are my disciples by the way you love one another." By the way you love one another, they will know that you are Christians; they will know we are Christians by our love. Mr. President, that's a good word. I believe you are a good example. You show it from day to day in the way that you love us and the way that you treat us.

I am going to close, and I am going to give this prophetic word to you which is in my heart. I want to remind you of this prophetic word, and I am going to pray you hold onto it forever.

"So, the fig tree did not blossom, and there be no fruit on the vines. So, the yield of olives should not fail, and the fields provide no food. So, the flocks should be cut off from the foal, and there be no cattle in the stall. Yet, we will exalt in the Lord. We will rejoice. We will rejoice. Oh yes, we will rejoice in the Lord of our salvation." May God bless you forever, and I thank you from the bottom of my heart.

Senator Bradley: President Albritton, one of the benefits of going at the end after hearing all the comments that Senator Burton said is something just kept weighing on my heart as I was listening to everybody. It's been made clear, Mr. President, that you are a godly man; you are a loving man; you are a kind man. That's irrefutable because people can sense insincerity and inauthenticity a mile away. That is the building block of leadership, because nobody cares what you know if they don't think you care.

From that relationship that you build, you have been able to move important legislation to you—about rural Florida, about autism. The Tristin Murphy Act was an incredible joy and an honor for me to be able to work on. But one of the things I just want to highlight is doing that requires incredible strength. It requires a resoluteness in your conviction, and you have said before, "Don't mistake my kindness for weakness." And I rise to tell you that this Senate, sir, we are not mistaken. We know that in the next several weeks that that strength is going to make the State of Florida better, and I thank you for that.

Senator Harrell: Thank you, Mr. President. I really didn't want to speak after what Senator Osgood said. How could I follow that? Thank you, Senator Bradley, for stepping in and getting recognized before me. I want to thank you for being there for me when my husband James passed. You called me the very day, and I stepped out of his room when we were making decisions about hospice. And your prayers, we prayed together, that was so comforting, so helpful. This one time I'm going to be very brief, Senator Passidomo, because I just want to say thank you for being there at a very tough time in my life. I appreciate you so much. Thank you.

Senator Avila: I'd like to start out by thanking Missy, actually. Many of us are here because of our spouse. Without that support from our spouse, we would not be able to serve. It's important certainly. Mr. President, before I thank you, we must thank the First Lady of the Senate for lending us her husband to be the leader of the Senate, and to allow the State of Florida to have you as a public servant. So, thank you, Missy, certainly for everything, and everything that you do. I know my wife holds down the fort, so I can only image what you do, especially with the Senate President's schedule. It's a lot so, I just want to really thank you for lending us Ben. Without that support, I'm sure he would not be able to do what he does here for us, but also for the residents of the State of Florida. So, thank you, Missy.

Mr. President, I think everyone's touched on a common theme, and touched on one particular word that really stands out, and that's love. That's what you express to us each and every day, not just through your words but through your actions. I'm certainly very appreciative of that.

I'm very appreciative of, believe it or not, your passion, your love for rural Florida, and your love for farmers. Coming from the county that I come from, where it's larger than 15 states, sometimes we forget how you feed over 2.8 million people. It's really because of the hard work and the dedication of our farmers. I really appreciate your endeavors and your effort in making sure that our farmers in the State of Florida have everything at their disposal and all the resources necessary to be successful. You know, farmers play a very important role—very, very important role in our lives. They've played an important role throughout our history. In fact, earlier today with Senator Passidomo, I mentioned George Washington. One of the people in history that really inspired George Washington was a farmer, and his name was Lucius Quinctius Cincinnatus. He's why Cincinnati is named Cincinnati. It's named after Cincinnatus. He was a farmer who went on to become a Roman Consul. After his time as a Roman Consul, the Roman Republic, at that point, was facing a serious threat. Its existence was really under threat. The Roman Senate summoned him and said, "We're going to give you absolute powers to lead the Roman Republic through this very critical time." Within six or seven days, he was able to defeat the enemy, save the Roman Republic, and he could have very well held on to absolute power. But he decided to go back to his farm. His tale is certainly an inspiration for George Washington, and I will say that your tale, sir, is an inspiration for all of us.

Senator Sharief: When I first got to the Florida Senate, they assigned me two of the most upbeat and lively professionals they ever could have given to me—that was Senator Hooper and President Albritton. They were charged with taking care of us young folk who had just arrived in the Florida Senate and showing us the way. I remember we were going through our orientation process, and every day they would have these hearty breakfasts and lunches. I kept saying, "Well I lost a hundred pounds, and I'm really trying not to eat again like that." As they would put the food out, I would say it's okay, I'll eat a salad. That went on for about three days, and somebody noticed. President Albritton came up to me, and he leaned in like the big brother and said, "Now Senator Sharief, we are going to have to talk about your dietary requirements." I was like, "Yeah, what do you know about that?" He's like, "I don't know all the things, but I need to know that you're not going to stay here and not eat. We need to know what you like to eat." So, I said, "The list is too long to tell you what I don't eat, so how about I just say salad and chicken are good." Anyway, he sent me back to Jacqui, and I gave her this long list of things I don't eat including bacon, eggs, milk, cheese, and bread. Then President Albritton looks around and goes, "All right, do you eat steak?" So, then after the first session I got—well, I guess everybody got it—this box of steaks. I was like, yeah, protein, I got this. I started to cook all the steaks that President Albritton sent, and they were just amazing.

I had gone through this process. I remember being very frustrated, and he always made time. I walked into his office, and I was like, "Hey, how are you doing, President?" He looked at me and said, "No, how are you doing?" I said, "Well, okay." He goes, "Sit down." So, I sat down and he starts saying, "Do you feel good about the process?" And I was like, "Where do I start?" So, I said to him, "I swear to God somebody's testing me, and I really don't know why." This process will make you pray a little bit extra. He looks at me and says, "So tell me what the issue is." I said, "Well, there's nothing easy about this." Because I came from county government. There were only nine of us, so that's very easy. We have the Sunshine Law, so we don't even get to talk. Here, it's a lot harder; there are 40 people. I've got to tell you, I love you all, but y'all are something to work with. You all have different personalities and different objectives, and it is very hard when you're coming from county government, or even from corporate government, or corporate America.

President Albritton takes the time, sits down, and listens to your problem. One day I had a real rough day. I was trying to get some bills through, and I came by the office. I was just going to say hi, and I ended up sitting in there. I started saying, "For the love of God, President Albritton, you're going to have to help me." He looks at me and says, "Well, what's wrong?" "I feel like a complete failure here because I just can't get anything done." He said, "Well, it's a process." He's so patient, kind, loving, and giving of his time. I knew he was busy, and I said, "Oh, I've got to go." He was like, "Wait come on and sit back down." He just took the time to say, "Okay, this is what you have to do; you're not a failure. You're doing great." He kind of encouraged me.

Then I had a situation during this session. It was a health scare. I had to have emergency surgery. I walked into his office, and I had a million

things on my mind. He looked at me and said, "What do you need me to do?" I said, "Oh, just pray for a speedy recovery." He goes, "Okay, when would you like it?" I said, "I'm leaving the day after tomorrow. How about now?" He stops and starts to pray. After he prayed, he gave me one of those big hugs, and I just knew everything was going to be fine. As soon as I got out of surgery, I got on the text message, and I said to him, "I made it through surgery, and I got up out of the bed and went walking." When my pathology report came back, I sent him another message. I said, "It's negative." He sent back, "Praise, God." I just felt like in that moment, I didn't just have a Senate colleague, but I had a true brother; I had a true friend. I just remember the love and support that you gave me. I just want to thank you for that.

I didn't know what today was going to be like; otherwise, I would have written a poem for you. I thought we were just going to look at this beautiful, lovely photo, and go do some bills. I can tell you that after hearing the sentiments of everybody, I do believe that your prayers work. I believe you were sent here by God, and I believe that everything good and everything that's supposed to happen is going to happen. I just want to say thank you, and I really love you.

Senator Martin: Mr. President, I want to say thank you. From the first time I set foot in this building, long before I ever thought I was going to run for office, I was up here visiting with the state college that I was on the board of with a friend, Danny Nix. He said, "Hey, let's go see my Senator." I said, "Who is your Senator?" He said, "Ben Albritton." So, we went over to your office, and it was the only time I was ever in a Senate office before I decided to run for office years later. Knowing how busy we are, I have no idea how we were able to just walk into your office and sit down. You were very kind. You continued that level of kindness even though you have gotten to know me much better. So, I am not sure why.

Thank you for allowing Carlos—or Senator Smith—to kick me around. I know that was probably because you wanted him to kick me around, but I have learned a lot in the last couple of years. I think in my first two years, things were run a lot differently. I also had no idea about the intricacies of this process. You can read it and study it all you want to, but you have no idea until you are here. Frankly, it changes every single year. Every session is different. I think my first two years were like having a learner's permit. I was in the car, but somebody was directing me along the way. Oftentimes, you were in my office directing me along the way. You had to show me where the gas pedal was, and where the brake pedal was a couple of times. I appreciate that and how you did it. Here we are now, I've got my full driver's license, and I am driving a car. There has been some bumper damage on both the front and the back, but I appreciate how you have navigated not just me, but others in this process trying to figure it out. Fortunately, I didn't come from the House. I hear it is much worse over there, but I couldn't believe it. I think I said that to you once. You said, "You know it is much worse in the House." I said, "How bad is the House?" Even some House members must learn how to drive when they get over to the Senate.

I have been honored to serve with you, alongside you, and under your leadership. I am not looking forward to spending a lot of time with the new President. I know he is right there, but I kind of got used to you. I will get used to him too down the road. Maybe he will get used to me like you got used to me as well. Thank you, thank you so much not just for your love, but also your forgiveness. I will just remind you of this as we have another couple of days left—Jesus said to forgive those who have wronged you seventy times seven times. Based on my math, I think you still owe me three more forgivenesses. Thank you.

Senator Brodeur: Mr. President, I am not going to use this time, because I think it would sell it short for me. I just want to tell you that when you get a role like I got in your administration, people think you get everything. I have got to be honest; I have only gotten one thing. It wasn't that you made me a better athlete, like Senator Gruters or made me better at the process, like Senator Passidomo; it is that you made me a better man. I have watched you, in quiet hours, do a lot of very hard things. 1 Timothy 4:12 says, "...set an example for the believers in speech, in conduct, in love, in faith and in purity." I have watched you do it. Members, I can tell you, some of you are pretty hard to protect. I am talking about Gruters.

This President has done unbelievably good things in grace and in love for everybody in here. This isn't a farewell. I am going to be with you for

a long time. We are going to work together for years. Doing what, who knows? It is a chance for Christy and me to tell you and Missy thank you. Thank you for being you. Thank you for leading this chamber with grace. He will be around. We love you and we thank you.

THE PRESIDENT PRESIDING

ADDRESS BY THE PRESIDENT

President Albritton: Thank you all so very much for your very gracious and kind words. When we started this journey together a few years ago, I put a lot of thought into a legacy. For me, it's not about policy; it's not about appropriations; it's not about who sits where. It's what I saw here today. I am so fulfilled by the reality of the love that has permeated this chamber. I'm standing here in front of a family. No presiding officer could ask for any more. I'm completely blessed.

My utmost gratitude goes to God Almighty. He's been so active in my life and continues to bless me beyond measure, certainly beyond anything I deserve. Yes, I'm thankful for God's consistent work in my life. He's true to his promises. He loves me; he leads me; and he teaches me every day. He alone gets the credit for anything good that anyone might see in me. He's my rock; my salvation; my sustainer; my hope; and my eternal future. I serve at his pleasure. Please pray with me.

Heavenly Father, thank you for your countless blessings and unending love. For your love is pure; your mercy is real; your justice is fair; and your grace is a welcomed and necessary gift to humankind. Thank you for creating us, for guiding us, and most importantly, for choosing us.

In this moment, Lord, I'm overcome with thankfulness to you. For without you and your divine appointment, I wouldn't be standing here today. Thank you for the incredible blessing to be the President of this Senate. Thank you for each and every Senator.

Thank you so very much, Lord. I pray this in your name. Amen.

Missy, I've put a lot of thought into what I wanted to say to you today. I want to be clear. I want to be intentional. So here it goes. You're one of the most incredible and capable women God has ever created. You never stop amazing me, especially how you so consistently make your life about others—your selflessness is awe inspiring. As our years together have flown by, three incredible kids later, four energetic grandkids so far, a stint in the Florida House, a stint in the Florida Senate, the ups and downs of farming, unpredictable surprise after surprise after surprise. There you are, unflinching, connected to my hip, my heart, my mind, and my spirit. You've always been my rock, my angel, my nurse, my partner, my conscience, but most of all, my best and most dependable friend. I love you so very much. Through my successes and failures, shining moments and faceplants, you've never left my side, not for a single second. I love you more than I can ever describe. Outside of the blood of Christ, you're the single best thing to ever happen to me on this earth. I love you.

To our kids, Becca and Dustin, Joshua and Emi, and Ryan, thank you so very much for being here today to share this moment. Even though you're all grown up now and are living your own lives, I'm so very blessed that you've made time to be here today. This Daddy is proud of who you are and what you stand for; especially that each of you love the Lord and live for him. I love you all so very much. You give me hope for the future of our family. That is a blessing.

Mom, Dad, Joe, Mindy, and the rest of the family and friends that are here today, thank you for the many years of the unconditional love and support you've given me. Thank you for your encouragement. I love you all.

To my current district staff and those who have worked with me over the past 16 years, I've been blessed by your hard work, loyalty, and friendship. You've all brought a clear sense of professionalism and thoughtfulness to our office. Importantly, you have each, in your own way, made me a better person and expanded my field of view. Thank you. I love you all.

To all the staff here in the Senate, it's amazing what you bring to the table. I'm so incredibly blessed. All the professional staff here in the President's Office, Sarge and all of your team, and everybody across the gamut. I know that you know this, but it's worthy of saying. We are all blessed beyond measure for the staff that we have here. Let's not forget to be sure and show them the same love and respect as we have going forth. Give them a round of applause.

At this point, I don't know what the future holds for Missy and I when it comes to public service. I know every day that goes by we will continue to seek him and be obedient. Every step of the way we have had through this journey of politics has all been led by God. I'm sure over time, maybe after a vacation or two, I believe that he will make it clear, and we will know. Then our only goal at that point will be to have the wisdom to see it and the courage to follow it.

As I've said before, I believe in divine appointment. I believe we're all here at this point and time for a purpose. Recently I did some research, out of curiosity, about Senate Presidents long in the past. If anything, just to see if there was anything I could learn from them about their time of leading—what challenges they went through during their season. I found something interesting.

J.J. Parrish, the Senate President whose portrait is the second from the left, will be hanging on the opposite end of the chamber from mine. He was a major citrus grower in the State of Florida. He actually created, in 1935, the Florida Department of Citrus and the Florida Citrus Commission. I was the chair of that very citrus commission in the early 2000s.

When J.J. Parrish was born in 1877 in Bowling Green, Florida, my great, great, great grandfather, Noah Samuel Albritton, would have been 58 years old, and my great, great grandfather, John Harley Albritton, would have been 21 years old. They lived in Bowling Green as well. The Bowling Green settlement's estimated population in the 1880s was somewhere around 250. I find it hard to believe our families didn't know each other. What's more fascinating, is in that town of 250 people, J.J. Parrish's parents and those members of my family who were alive at that time, attended the same tiny, country church, the Paynes Creek Primitive Baptist Church just west of Bowling Green. I'm sure our families knew each other well.

President Parrish's legacy and portrait have circled the Senate Chamber now for decades, watching over citrus in the Florida Senate. His portrait is heading to retirement in the Old State Capitol in a couple of years. I hope my portrait will take up the same task once his portrait is retired. In my portrait, a bowl of oranges will be a great reminder for all the Senators yet to come that this iconic and important Florida industry and its culture really matter.

Divine appointment. We are all here for a reason. As you all know, I'm fond of sharing quotes that build wisdom. You've heard me say before there is a big difference in intellect and wisdom. Here are just a few more for all of us to consider:

"Just because there's silence, doesn't mean nothing's going on."

"An eye for an eye will only make the world go blind."

"One of the greatest challenges in leadership is in knowing enough about an issue to believe you're right and not knowing enough about it to know that you're wrong."

"I never lose. I either win or I learn."

"You don't have to be cruel to be tough."

And maybe most important in this season:

"If you want to go quickly, go alone. If you want to go further, go together."

Thanks to everyone for being here today. I'm very blessed by it. I love you all.

SENATOR BRODEUR PRESIDING

MOTIONS

On motion by Senator Passidomo, the time of adjournment was extended until completion of today's business.

By direction of the President, the Senate proceeded to—

SPECIAL ORDER CALENDAR

SENATOR PASSIDOMO PRESIDING

CS for SB 1366—A bill to be entitled An act relating to claims against the government; amending s. 768.28, F.S.; increasing the statutory limits on the liability of the state and its agencies and subdivisions for tort claims; revising exceptions relating to instituting actions on tort claims against the state or one of its agencies or subdivisions; revising the period after which the failure of certain entities to make a final disposition of a claim shall be deemed a final denial of the claim for certain purposes; revising the statute of limitations for tort claims against the state or one of its agencies or subdivisions and exceptions thereto; deleting obsolete language; making technical changes; providing applicability; amending ss. 29.0081, 39.8297, 343.811, and 944.713, F.S.; conforming cross references; conforming provisions to changes made by the act; reenacting ss. 45.061(5), 95.11(6)(f), 110.504(4), 111.071(1)(a), 125.01015(2)(b), 163.01(3)(h) and (15)(k), 190.043, 213.015(13), 252.51, 252.89, 252.944, 260.0125(2), 284.31, 284.38, 322.13(1)(b), 337.19(1), 341.302(17), 343.811(3), 351.03(4)(c), 373.1395(6), 375.251(3)(a), 381.0056(9), 393.075(3), 394.9085(7), 395.1055(10)(g), 403.706(17)(c), 409.175(15)(b), 409.993(1), (2)(a), and (3)(a), 420.504(8), 455.221(3), 455.32(5), 456.009(3), 456.076(15)(a), 471.038(3), 472.006(11)(b), 497.167(7), 513.118(2), 548.046(1), 556.106(8), 589.19(4)(e), 627.7491(3) and (4), 723.0611(2)(c), 760.11(5), 766.1115(4), 766.112(2), 768.1355(3), 768.1382(7), 768.295(4), 946.5026, 946.514(3), 961.06(8), 984.09(3), 1002.33(12)(h), 1002.333(6)(b), 1002.34(17), 1002.37(2), 1002.55(3)(l), 1002.83(10), 1002.88(1)(p), 1006.24(1), and 1006.261(2)(b), F.S., relating to offers of settlement; limitations other than for the recovery of real property; volunteer benefits; payment of judgments or settlements against certain public officers or employees; office of the sheriff; the Florida Interlocal Cooperation Act of 1969; suits against community development districts; taxpayer rights; liability; tort liability; tort liability; limitation on liability of private landowners whose property is designated as part of the statewide system of greenways and trails; scope and types of coverages; effect of waiver of sovereign immunity; driver license examiners; suits by and against the Department of Transportation; rail program; power to assume indemnification and insurance obligations; railroad-highway grade-crossing warning signs and signals; limitation on liability of a water management district with respect to areas made available to the public for recreational purposes without charge; limitation on liability of persons making available to the public certain areas for recreational purposes without charge; school health services program; general liability coverage; behavioral provider liability; rules and enforcement; local government solid waste responsibilities; licensure of family foster homes, residential child-caring agencies, and child-placing agencies; lead agencies and subcontractor liability; the Florida Housing Finance Corporation; legal and investigative services; the Management Privatization Act; legal and investigative services; impaired practitioner programs; the Florida Engineers Management Corporation; the Department of Agriculture and Consumer Services; administrative matters; conduct on premises and refusal of service; physician's attendance at match; liability of the member operator, excavator, and system; creation of certain state forests, naming of certain state forests, and the Operation Outdoor Freedom Program; official law enforcement vehicles and motor vehicle insurance requirements; the Florida Mobile Home Relocation Corporation; administrative and civil remedies and construction; health care providers and creation of agency relationship with governmental contractors; comparative fault; the Florida Volunteer Protection Act; streetlights, security lights, and other similar illumination and limitation on liability; Strategic Lawsuits Against Public Participation (SLAPP) prohibited; sovereign immunity in tort actions; liability of corporation for inmate injuries; compensation for wrongful incarceration; punishment for contempt of court and alternative sanctions; charter schools; persistently low-performing schools; charter

technical career centers; the Florida Virtual School; school-year pre-kindergarten program delivered by private prekindergarten providers; early learning coalitions; school readiness program provider standards and eligibility to deliver the school readiness program; tort liability and liability insurance; and use of school buses for public purposes, respectively, to incorporate changes made to s. 768.28, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1366**, pursuant to Rule 3.11(3), there being no objection, **HB 145** was withdrawn from the Committee on Rules.

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

HB 145—A bill to be entitled An act relating to suits against the government; amending s. 768.28, F.S.; increasing the statutory limits on liability for tort claims against the state and its agencies and subdivisions; authorizing a subdivision of the state to settle a claim in excess of the statutory limit without further action by the Legislature regardless of insurance coverage limits; prohibiting an insurance policy from conditioning payment of benefits on the enactment of a claim bill; specifying that the limitations in effect on the date the claim accrues apply to that claim; revising the period within which certain claims must be presented to certain entities; revising exceptions relating to instituting actions on tort claims against the state or one of its agencies or subdivisions; revising the period after which the failure of certain entities to make final disposition of a claim shall be deemed a final denial of the claim for certain purposes; revising the statute of limitations for tort claims against the state or one of its agencies or subdivisions and exceptions thereto; providing applicability; amending s. 944.713, F.S., conforming provisions to changes made by the act; providing applicability; reenacting ss. 45.061(5), 95.11(6)(f), 110.504(4), 111.071(1)(a), 125.01015(2)(b), 163.01(3)(h) and (15)(k), 190.043, 213.015(13), 252.51, 252.89, 252.944, 260.0125(2), 284.31, 284.38, 322.13(1)(b), 337.19(1), 341.302(17), 343.811(3), 351.03(4)(c), 373.1395(6), 375.251(3)(a), 381.0056(9), 393.075(3), 394.9085(7), 395.1055(10)(g), 403.706(17)(c), 409.175(15)(b), 409.993(1), (2)(a), and (3)(a), 420.504(8), 455.221(3), 455.32(5), 456.009(3), 456.076(15)(a), 471.038(3), 472.006(11)(b), 497.167(7), 513.118(2), 548.046(1), 556.106(8), 589.19(4)(e), 627.7491(3) and (4), 723.0611(2)(c), 760.11(5), 766.1115(4), 766.112(2), 768.1355(3), 768.1382(7), 768.295(4), 946.5026, 946.514(3), 961.06(8), 984.09(3), 1002.33(12)(h), 1002.333(6)(b), 1002.34(17), 1002.351(3)(c), 1002.37(2), 1002.55(3)(l), 1002.83(10), 1002.88(1)(p), 1006.24(1), and 1006.261(2)(b), F.S., relating to offers of settlement, limitations other than for the recovery of real property, volunteer benefits, payment of judgments or settlements against certain public officers or employees, office of the sheriff, the Florida Interlocal Cooperation Act of 1969, suits against community development districts, taxpayer rights, liability, tort liability, tort liability, limitation on liability of private landowners whose property is designated as part of the statewide system of greenways and trails, scope and types of coverages, effect of waiver of sovereign immunity, driver license examiners, suits by and against the Department of Transportation, rail program, power to assume indemnification and insurance obligations, railroad-highway grade-crossing warning signs and signals, limitation on liability of water management district with respect to areas made available to the public for recreational purposes without charge, limitation on liability of persons making available to public certain areas for recreational purposes without charge, school health services program, general liability coverage, behavioral provider liability, rules and enforcement, local government solid waste responsibilities, licensure of family foster homes, residential child-caring agencies, and child-placing agencies, lead agencies and subcontractor liability, the Florida Housing Finance Corporation, legal and investigative services, the Management Privatization Act, legal and investigative services, impaired practitioner programs, the Florida Engineers Management Corporation, the Department of Agriculture and Consumer Services, administrative matters, conduct on premises, refusal of service, physician's attendance at match, liability of the member operator, excavator, and system, creation of certain state forests, naming of certain state forests, Operation Outdoor Freedom Program, official law enforcement vehicles, motor vehicle insurance requirements, the Florida Mobile Home Relocation Corporation, administrative and civil remedies, construction, health care providers, creation of agency relationship with governmental contractors, comparative fault, the Florida Volunteer Protection Act, streetlights, security lights, and other similar illumination, limitation

on liability, Strategic Lawsuits Against Public Participation (SLAPP), sovereign immunity in tort actions, liability of corporation for inmate injuries, compensation for wrongful incarceration, punishment for contempt of court, alternative sanctions, charter schools, persistently low-performing schools, charter technical career centers, the Florida School for Competitive Academics, the Florida Virtual School, school-year prekindergarten program delivered by private prekindergarten providers, early learning coalitions, school readiness program provider standards, eligibility to deliver the school readiness program, tort liability, liability insurance, and use of school buses for public purposes, respectively, to incorporate changes made by the act; providing an effective date.

—a companion measure, was substituted for **CS for SB 1366** and read the second time by title.

Senator Brodeur moved the following amendment which was adopted:

Amendment 1 (401768) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. 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.—

(1) In accordance with s. 13, Art. X of the State Constitution, the state, for itself and for its agencies or subdivisions, hereby waives sovereign immunity for liability for torts, but only to the extent specified in this ~~section act~~. Actions at law against the state or any of its agencies or subdivisions to recover damages in tort for money damages against the state or its agencies or subdivisions for injury or loss of property, personal injury, or death caused by the negligent or wrongful act or omission of any employee of the agency or subdivision while acting within the scope of the employee's office or employment under circumstances in which the state or such agency or subdivision, if a private person, would be liable to the claimant, in accordance with the general laws of this state, may be prosecuted subject to the limitations specified in this ~~section act~~. Any ~~authorized such~~ action may be brought in the county where the property in litigation is located or, if the affected agency or subdivision has an office in ~~the such~~ county for the transaction of its customary business, where the cause of action accrued. However, ~~an any such~~ action against a state university board of trustees ~~must shall~~ be brought in the county in which that university's main campus is located or in the county in which the cause of action accrued if the university maintains ~~therein~~ a substantial presence for the transaction of its customary business ~~in that county~~.

(2) As used in this act, "state agencies or subdivisions" include the executive departments, the Legislature, the judicial branch (including public defenders), and the independent establishments of the state, including state university boards of trustees; counties and municipalities; and corporations primarily acting as instrumentalities or agencies of the state, counties, or municipalities, including the Florida Space Authority.

(3) Except for a municipality and the Florida Space Authority, the affected agency or subdivision may, at its discretion, request the assistance of the Department of Financial Services in the consideration, adjustment, and settlement of any claim under this ~~section act~~.

(4) Subject to the provisions of this section, any state agency or subdivision ~~may shall have the right to~~ appeal any award, compromise, settlement, or determination to the court of appropriate jurisdiction.

(5)(a) The state and its agencies and subdivisions ~~are shall be~~ liable for tort claims in the same manner and to the same extent as a private individual under like circumstances, but liability ~~may shall~~ not include punitive damages or interest for the period before judgment. ~~Neither~~ The state ~~and not~~ its agencies or subdivisions ~~are not shall be~~ liable to pay a claim or a judgment by any one person which exceeds the sum of ~~\$350,000 \$200,000~~ or any claim or judgment, or portions of a claim or judgment ~~thereof~~, which, when totaled with all other claims or judgments paid by the state or its agencies or subdivisions arising out of the same incident or occurrence, exceeds the sum of ~~\$500,000 \$300,000~~. However, a judgment or judgments may be claimed and rendered in

excess of these amounts and may be settled and paid pursuant to this ~~section act~~ up to ~~\$350,000 \$200,000~~ or ~~\$500,000~~. ~~Any \$300,000, as the case may be, and that portion of the judgment that exceeds these amounts may be reported to the Legislature, but may be paid in part or in whole only by further act of the Legislature.~~

(b) Notwithstanding the limited waiver of sovereign immunity ~~in paragraph (a) provided herein~~, the state or an agency or subdivision of the state ~~thereof~~ may agree, within the limits of insurance coverage provided, to settle a claim made or a judgment rendered against it without further action by the Legislature, but the state or agency or subdivision of the state ~~may thereof shall~~ not be deemed to have waived any defense of sovereign immunity or to have increased the limits of its liability as a result of its obtaining insurance coverage for tortious acts in excess of the ~~\$350,000 \$200,000~~ or ~~\$500,000 \$300,000~~ waiver ~~in paragraph (a) provided above~~.

(c) The limitations of liability ~~set forth~~ in this subsection ~~shall~~ apply to the state and its agencies and subdivisions whether or not the state or its agencies or subdivisions possessed sovereign immunity before July 1, 1974.

~~(d)(b)~~ A municipality has a duty to allow the municipal law enforcement agency to respond appropriately to protect persons and property during a riot or an unlawful assembly based on the availability of adequate equipment to its municipal law enforcement officers and relevant state and federal laws. If the governing body of a municipality or a person authorized by the governing body of the municipality breaches that duty, the municipality is civilly liable for any damages, including damages arising from personal injury, wrongful death, or property damages proximately caused by the municipality's breach of duty. The sovereign immunity recovery limits in paragraph (a) do not apply to an action under this paragraph.

(6)(a) An action may not be instituted on a claim against the state or one of its agencies or subdivisions unless the claimant presents the claim in writing to the appropriate agency, and also, except as to any claim against a municipality, county, or the Florida Space Authority, presents ~~the such~~ claim in writing to the Department of Financial Services, within ~~18 months 2 years~~ after ~~the such~~ claim accrues and the Department of Financial Services or the appropriate agency denies the claim in writing; except that, if:

1. ~~The Such~~ claim is for contribution pursuant to s. 768.31, it must be ~~so~~ presented within 6 months after the judgment against the tortfeasor seeking contribution has become final by lapse of time for appeal or after appellate review or, if there is no ~~final such~~ judgment, within 6 months after the tortfeasor seeking contribution has either discharged the common liability by payment or agreed, while the action is pending against her or him, to discharge the common liability; or

2. ~~The Such~~ action arises from a violation of s. 794.011 involving a victim who was younger than 16 years of age at the time of the act, the claimant may present the claim in writing at any time. This subparagraph applies to any action other than an action that would have been time barred on or before October 1, 2026 ~~is for wrongful death, the claimant must present the claim in writing to the Department of Financial Services within 2 years after the claim accrues.~~

(b) For purposes of this section, the requirements of notice to the agency and denial of the claim pursuant to paragraph (a) are conditions precedent to maintaining an action but ~~may shall~~ not be deemed to be elements of the cause of action and ~~do shall~~ not affect the date on which the cause of action accrues.

(c) The claimant shall also provide to the agency the claimant's date and place of birth and social security number if the claimant is an individual, or a federal identification number if the claimant is not an individual. The claimant shall also state the case style, tribunal, the nature and amount of all adjudicated penalties, fines, fees, victim restitution fund, and other judgments in excess of \$200, whether imposed by a civil, criminal, or administrative tribunal, owed by the claimant to the state, its agency, officer or subdivision. If there exists no prior adjudicated unpaid claim in excess of \$200, the claimant shall so state.

(d) For purposes of this section, complete, accurate, and timely compliance with the requirements of paragraph (c) ~~must shall~~ occur ~~before prior to~~ settlement payment, close of discovery, or commencement

of trial, whichever is ~~earlier~~ sooner; provided the ability to plead setoff is not precluded by the delay. This setoff ~~applies shall apply~~ only against that part of the settlement or judgment payable to the claimant, minus claimant's reasonable ~~attorney~~ attorney's fees and costs. Incomplete or inaccurate disclosure of unpaid adjudicated claims due the state, or, its agency, officer, or subdivision, may be excused by the court upon a showing by the preponderance of the evidence of the claimant's lack of knowledge of an adjudicated claim and reasonable inquiry by, or on behalf of, the claimant to obtain the information from public records. Unless the appropriate agency had actual notice of the information required to be disclosed by paragraph (c) in time to assert a setoff, an unexcused failure to disclose shall, upon hearing and order of court, cause the claimant to be liable for double the original undisclosed judgment and, upon further motion, the court shall enter judgment for the agency in that amount. Except as provided otherwise in this subsection, the failure of the Department of Financial Services or the appropriate agency to make final disposition of a claim within 4 6 months after it is filed shall be deemed a final denial of the claim for purposes of this section. For purposes of this subsection, in medical malpractice actions and in wrongful death actions, the failure of the Department of Financial Services or the appropriate agency to make final disposition of a claim within 90 days after it is filed shall be deemed a final denial of the claim. The statute of limitations ~~for medical malpractice actions and wrongful death actions~~ is tolled *as to all prospective defendants* for the period of time taken by the Department of Financial Services or the appropriate agency to deny the claim. ~~The provisions of This subsection does do not apply to such claims that as may be asserted by counterclaim pursuant to s. 768.14.~~

(7) In actions brought pursuant to this section, process ~~must shall~~ be served upon the head of the agency concerned and also, except as to a defendant municipality, county, or the Florida Space Authority, upon the Department of Financial Services; ~~and~~ The department or the agency ~~served has concerned shall have~~ 30 days within which to ~~file responsive pleadings plead thereto.~~

(8) ~~An~~ No attorney may not charge, demand, receive, or collect, for services rendered, fees in excess of 25 percent of any *funds recovered as a result of judgment or settlement.*

(9)(a) An officer, employee, or agent of the state or of any of its subdivisions may not be held personally liable in tort or named as a party defendant in any action for any injury or damage suffered as a result of any act, event, or omission of action in the scope of her or his employment or function, unless ~~the such~~ officer, employee, or agent acted in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety, or property. However, ~~the such~~ officer, employee, or agent shall be considered an adverse witness in a tort action for any injury or damage suffered as a result of any act, event, or omission of action in the scope of her or his employment or function. The exclusive remedy for injury or damage suffered as a result of an act, event, or omission of an officer, employee, or agent of the state or any of its subdivisions or constitutional officers is by action against the governmental entity, or the head of such entity in her or his official capacity, or the constitutional officer of which the officer, employee, or agent is an employee, unless ~~the such~~ act or omission was committed in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety, or property. The state or its subdivisions are not liable in tort for the acts or omissions of an officer, employee, or agent committed while acting outside the course and scope of her or his employment or committed in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety, or property.

(b) As used in this subsection, the term:

1. "Employee" includes any volunteer firefighter.
2. "Officer, employee, or agent" includes, but is not limited to, any health care provider when providing services pursuant to s. 766.1115; any nonprofit independent college or university located and chartered in this state which owns or operates an accredited medical school, and its employees or agents, when providing patient services pursuant to paragraph (10)(f); any public defender or her or his employee or agent, including an assistant public defender or an investigator; and any member of a Child Protection Team, as defined in s. 39.01, or any member of a threat management team, as described in s. 1006.07(7), when carrying out her or his duties as a team member under the con-

trol, direction, and supervision of the state or any of its agencies or subdivisions.

(c) For purposes of the waiver of sovereign immunity only, a member of the Florida National Guard is not acting within the scope of state employment when performing duty under the provisions of Title 10 or Title 32 of the United States Code or other applicable federal law; and ~~neither~~ the state ~~or nor~~ any individual may *not* be named in any action under this chapter arising from the performance of such federal duty.

(d) The employing agency of a law enforcement officer as defined in s. 943.10 is not liable for injury, death, or property damage effected or caused by a person fleeing from a law enforcement officer in a motor vehicle if:

1. The pursuit is conducted in a manner that does not involve conduct by the officer which is so reckless or wanting in care as to constitute disregard of human life, human rights, safety, or the property of another;
2. At the time the law enforcement officer initiates the pursuit, the officer reasonably believes that the person fleeing has committed a forcible felony as defined in s. 776.08; and
3. The pursuit is conducted by the officer pursuant to a written policy governing high-speed pursuit adopted by the employing agency. The policy must contain specific procedures concerning the proper method to initiate and terminate high-speed pursuit. The law enforcement officer must have received instructional training from the employing agency on the written policy governing high-speed pursuit.

(10)(a) Health care providers or vendors, or any of their employees or agents, that have contractually agreed to act as agents of the Department of Corrections to provide health care services to inmates of the state correctional system shall be considered agents of the State of Florida, Department of Corrections, for the purposes of this section, while acting within the scope of and pursuant to guidelines established in ~~their contracts said contract~~ or by rule. The contracts ~~must shall~~ provide for the indemnification of the state by the agent for any liabilities incurred up to the limits set out in this chapter.

(b) This subsection ~~may shall~~ not be construed as designating persons providing contracted health care services to inmates as employees or agents of the state for the purposes of chapter 440.

(c) For purposes of this section, regional poison control centers created in accordance with s. 395.1027 and coordinated and supervised under the Division of Children's Medical Services Prevention and Intervention of the Department of Health, or any of their employees or agents, shall be considered agents of the State of Florida, Department of Health. Any contracts with poison control centers must provide, to the extent permitted by law, for the indemnification of the state by the agency for any liabilities incurred up to the limits set out in this chapter.

(d) For the purposes of this section, operators, dispatchers, and providers of security for rail services and rail facility maintenance providers in the South Florida Rail Corridor, or any of their employees or agents, performing ~~such~~ services under contract with and on behalf of the South Florida Regional Transportation Authority or the Department of Transportation shall be considered agents of the state while acting within the scope of and pursuant to guidelines established in ~~their contracts said contract~~ or by rule.

(e) For purposes of this section, a professional firm that provides monitoring and inspection services of the work required for state roadway, bridge, or other transportation facility construction projects, or any employee of a firm performing ~~those such~~ services, is considered an agent of the Department of Transportation while acting within the scope of the firm's contract with the Department of Transportation to ensure that the project is constructed in conformity with the project's plans, specifications, and contract provisions. This paragraph applies to a professional firm that is in direct contract with the Department of Transportation, as well as any professional firm providing monitoring and inspection services as a consultant to the professional firm that is in direct contract with the Department of Transportation. Any contract with a professional firm must, to the extent permitted by law, provide for the indemnification of the Department of Transportation for any

liability, including reasonable attorney fees, incurred up to the limits set out in this chapter to the extent caused by the negligence of the firm or its employees. This paragraph may not be construed as designating persons who provide monitoring and inspection services as employees or agents of the state for purposes of chapter 440. This paragraph is not applicable to the professional firm or its employees if involved in an accident while operating a motor vehicle. This paragraph is not applicable to a firm engaged by the Department of Transportation for the design or construction of a state roadway, bridge, or other transportation facility construction project or to its employees, agents, or subcontractors.

(f) For purposes of this section, any nonprofit independent college or university located and chartered in this state which owns or operates an accredited medical school, or any of its employees or agents, and which has agreed in an affiliation agreement or other contract to provide, or permit its employees or agents to provide, patient services as agents of a teaching hospital, is considered an agent of the teaching hospital while acting within the scope of and pursuant to guidelines established in the affiliation agreement or other contract. To the extent allowed by law, the contract must provide for the indemnification of the teaching hospital, up to the limits set out in this chapter, by the agent for any liability incurred which was caused by the negligence of the college or university or its employees or agents. The contract must also provide that those limited portions of the college, university, or medical school which are directly providing services pursuant to the contract and which are considered an agent of the teaching hospital for purposes of this section are deemed to be acting on behalf of a public agency as defined in s. 119.011(2).

1. For purposes of this paragraph, the term:

a. "Employee or agent" means an officer, employee, agent, or servant of a nonprofit independent college or university located and chartered in this state which owns or operates an accredited medical school, including, but not limited to, the faculty of the medical school, any health care practitioner or licensee as defined in s. 456.001 for which the college or university is vicariously liable, and the staff or administrators of the medical school.

b. "Patient services" means:

(I) Comprehensive health care services as defined in s. 641.19, including any related administrative service, provided to patients in a teaching hospital;

(II) Training and supervision of interns, residents, and fellows providing patient services in a teaching hospital; or

(III) Training and supervision of medical students in a teaching hospital.

c. "Teaching hospital" means a teaching hospital as defined in s. 408.07 which is owned or operated by the state, a county or municipality, a public health trust, a special taxing district, a governmental entity having health care responsibilities, or a not-for-profit entity that operates such facility as an agent of the state, or a political subdivision of the state, under a lease or other contract.

2. The teaching hospital or the medical school, or its employees or agents, must provide notice to each patient, or the patient's legal representative, that the college or university that owns or operates the medical school and the employees or agents of that college or university are acting as agents of the teaching hospital and that the exclusive remedy for injury or damage suffered as the result of any act or omission of the teaching hospital, the college or university that owns or operates the medical school, or the employees or agents of the college or university, while acting within the scope of duties pursuant to the affiliation agreement or other contract with a teaching hospital, is by commencement of an action pursuant to the provisions of this section. This notice requirement may be met by posting the notice in a place conspicuous to all persons.

3. This paragraph does not designate any employee providing contracted patient services in a teaching hospital as an employee or agent of the state for purposes of chapter 440.

(g) For the purposes of this section, the executive director of the Board of Nursing, when serving as the state administrator of the Nurse Licensure Compact pursuant to s. 464.0095, and any administrator, officer, executive director, employee, or representative of the Interstate Commission of Nurse Licensure Compact Administrators, when acting within the scope of their employment, duties, or responsibilities in this state, are considered agents of the state. The commission shall pay any claims or judgments pursuant to this section and may maintain insurance coverage to pay any such claims or judgments.

(h) For purposes of this section, the individual appointed under s. 491.004(8) as the state's delegate on the Counseling Compact Commission, when serving in that capacity pursuant to s. 491.017, and any administrator, officer, executive director, employee, or representative of the commission, when acting within the scope of his or her employment, duties, or responsibilities in this state, is considered an agent of the state. The commission shall pay any claims or judgments pursuant to this section and may maintain insurance coverage to pay *those* ~~any such~~ claims or judgments.

(i) For purposes of this section, the individual appointed under s. 490.004(7) as the state's commissioner on the Psychology Interjurisdictional Compact Commission, when serving in that capacity pursuant to s. 490.0075, and any administrator, officer, executive director, employee, or representative of the Psychology Interjurisdictional Compact Commission, when acting within the scope of his or her employment, duties, or responsibilities in this state, is considered an agent of the state. The commission shall pay any claims or judgments pursuant to this section and may maintain insurance coverage to pay *those* ~~any such~~ claims or judgments.

(j) For purposes of this section, the representative appointed from the Board of Medicine and the representative appointed from the Board of Osteopathic Medicine, when serving as commissioners of the Interstate Medical Licensure Compact Commission pursuant to s. 456.4501, and any administrator, officer, executive director, employee, or representative of the Interstate Medical Licensure Compact Commission, when acting within the scope of their employment, duties, or responsibilities in this state, are considered agents of the state. The commission shall pay any claims or judgments pursuant to this section and may maintain insurance coverage to pay *those* ~~any such~~ claims or judgments.

(k) For purposes of this section, the individuals appointed under s. 468.1135(4) as the state's delegates on the Audiology and Speech-Language Pathology Interstate Compact Commission, when serving in that capacity pursuant to s. 468.1335, and any administrator, officer, executive director, employee, or representative of the commission, when acting within the scope of his or her employment, duties, or responsibilities in this state, is considered an agent of the state. The commission shall pay any claims or judgments pursuant to this section and may maintain insurance coverage to pay *those* ~~any such~~ claims or judgments.

(l) For purposes of this section, the individual appointed under s. 486.023(5) as the state's delegate on the Physical Therapy Compact Commission, when serving in that capacity pursuant to s. 486.112, and any administrator, officer, executive director, employee, or representative of the Physical Therapy Compact Commission, when acting within the scope of his or her employment, duties, or responsibilities in this state, is considered an agent of the state. The commission shall pay any claims or judgments pursuant to this section and may maintain insurance coverage to pay *those* ~~any such~~ claims or judgments.

(11)(a) Providers or vendors, or any of their employees or agents, that have contractually agreed to act on behalf of the state as agents of the Department of Juvenile Justice to provide services to children in need of services, families in need of services, or juvenile offenders are, solely with respect to such services, agents of the state for purposes of this section while acting within the scope of and pursuant to guidelines established in the contract or by rule. A contract must provide for the indemnification of the state by the agent for any liabilities incurred up to the limits set out in this chapter.

(b) This subsection does not designate a person who provides contracted services to juvenile offenders as an employee or agent of the state for purposes of chapter 440.

(12)(a) A health care practitioner, as defined in s. 456.001(4), who has contractually agreed to act as an agent of a state university board of

trustees to provide medical services to a student athlete for participation in or as a result of intercollegiate athletics, to include team practices, training, and competitions, shall be considered an agent of the respective state university board of trustees, for the purposes of this section, while acting within the scope of and pursuant to guidelines established in that contract. The contracts ~~must shall~~ provide for the indemnification of the state by the agent for any liabilities incurred up to the limits set out in this chapter.

(b) This subsection ~~may shall~~ not be construed as designating persons providing contracted health care services to athletes as employees or agents of a state university board of trustees for the purposes of chapter 440.

(13) Laws allowing the state or its agencies or subdivisions to buy insurance are still in force and effect and are not restricted in any way by the terms of this ~~section act~~.

(14) A ~~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 ~~is shall be forever~~ barred unless the civil action is commenced by filing a complaint in the court of appropriate jurisdiction:

(a) Within 2 years for an action founded on negligence.

(b) Within the limitations provided in s. 768.31(4) for an action for contribution.

(c) Within the limitations provided in s. 95.11(5) for an action for damages arising from medical malpractice or wrongful death.

(d) At any time for an action arising from an act constituting a violation of s. 794.011 involving a victim who was under the age of 16 years at the time of the act. This paragraph applies to any such action other than an action that would have been time barred on or before October 1, 2026.

(e) Within 4 years for any other action not specified in this subsection 4 years after the ~~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).~~

(15) An ~~No~~ action may ~~not~~ be brought against the state or any of its agencies or subdivisions by anyone who unlawfully participates in a riot, unlawful assembly, public demonstration, mob violence, or civil disobedience if the claim arises out of the ~~such~~ riot, unlawful assembly, public demonstration, mob violence, or civil disobedience. ~~Nothing in~~ This subsection ~~does not act shall~~ abridge traditional immunities pertaining to statements made in court.

(16)(a) The state and its agencies and subdivisions are authorized to be self-insured, to enter into risk management programs, or to purchase liability insurance for whatever coverage they may choose, or to have any combination thereof, in anticipation of any claim, judgment, and claims bill ~~that which~~ they may be liable to pay pursuant to this section. Agencies or subdivisions, and sheriffs, that are subject to homogeneous risks may purchase insurance jointly or may join together as self-insurers to provide other means of protection against tort claims, any charter provisions or laws to the contrary notwithstanding.

(b) Claims files maintained by any risk management program administered by the state, its agencies, and its subdivisions are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution until termination of all litigation and settlement of all claims arising out of the same incident, although portions of the claims files may remain exempt, as otherwise provided by law. Claims files records may be released to other governmental agencies upon written request and demonstration of need. ~~Any; such~~ records held by the receiving agency remain confidential and exempt as provided ~~for~~ in this paragraph.

(c) Portions of meetings and proceedings conducted pursuant to any risk management program administered by the state, its agencies, or its subdivisions, which relate solely to the evaluation of claims filed with the risk management program or which relate solely to offers of compromise of claims filed with the risk management program are exempt from the provisions of s. 286.011 and s. 24(b), Art. I of the State Con-

stitution. Until termination of all litigation and settlement of all claims arising out of the same incident, persons privy to discussions pertinent to the evaluation of a filed claim ~~are shall~~ not be subject to subpoena in any administrative or civil proceeding with regard to the content of those discussions.

(d) Minutes of the meetings and proceedings of any risk management program administered by the state, its agencies, or its subdivisions, which relate solely to the evaluation of claims filed with the risk management program or which relate solely to offers of compromise of claims filed with the risk management program are exempt from ~~the provisions of~~ s. 119.07(1) and s. 24(a), Art. I of the State Constitution until termination of all litigation and settlement of all claims arising out of the same incident.

(17) ~~This section, as amended by chapter 81-317, Laws of Florida, shall apply only to causes of actions which accrue on or after October 1, 1981.~~

(18) ~~A No~~ provision of this section, or of any other section of the Florida Statutes, whether read separately or in conjunction with any other provision, ~~may not shall~~ be construed to waive the immunity of the state or any of its agencies from suit in federal court, as ~~that such~~ immunity is guaranteed by the Eleventh Amendment to the Constitution of the United States, unless ~~the such~~ waiver is explicitly and definitely stated to be a waiver of the immunity of the state and its agencies from suit in federal court. This subsection ~~may shall~~ not be construed to mean that the state has at any time previously waived, by implication, its immunity, or that of any of its agencies, from suit in federal court through any statute in existence ~~before prior to~~ June 24, 1984.

(19) ~~Neither~~ The state or an ~~nor any~~ agency or subdivision of the state ~~does not waive waives~~ any defense of sovereign immunity, or ~~increase increases~~ the limits of its liability, upon entering into a ~~contract contractual relationship~~ with another agency or subdivision of the state. ~~The Such a~~ contract ~~may must~~ not contain any provision that requires one party to indemnify or insure the other party for the other party's negligence or to assume any liability for the other party's negligence. This does not preclude a party from requiring a nongovernmental entity to provide ~~such indemnification or insurance~~. The restrictions in this subsection do not ~~prohibit prevent~~ a regional water supply authority from indemnifying and assuming the liabilities of its member governments for obligations arising from past acts or omissions at or with property acquired from a member government by the authority and arising from the acts or omissions of the authority in performing activities contemplated by an interlocal agreement. ~~The Such~~ indemnification may not be considered to increase or otherwise waive the limits of liability to third-party claimants established by this section.

(19) ~~(20)~~ Every municipality, and any of its agencies ~~agency thereof,~~ ~~may is authorized to undertake to~~ indemnify those employees ~~who that~~ are exposed to personal liability pursuant to the Clean Air Act Amendments of 1990, 42 U.S.C.A. ss. 7401 et seq., and all rules and regulations adopted to implement that act, for acts performed within the course and scope of their employment with the municipality or its agency, including, but not limited to, indemnification pertaining to the holding, transfer, or disposition of allowances allocated to the municipality's or its agency's electric generating units, and the monitoring, submission, certification, and compliance with permits, permit applications, records, compliance plans, and reports for those units, when ~~those such~~ acts are performed within the course and scope of their employment with the municipality or its agency. The authority to indemnify under this section covers every act by an employee ~~which is~~ when ~~such act~~ is performed within the course and scope of her or his employment with the municipality or its agency, but does not cover any act of willful misconduct or any intentional or knowing violation of any law by the employee. The authority to indemnify under this section includes, but is not limited to, the authority to pay any fine and provide legal representation in any action.

Section 2. This act applies to causes of action that accrue on or after October 1, 2026.

Section 3. Paragraph (b) of subsection (2) of section 29.0081, Florida Statutes, is amended to read:

29.0081 County funding of additional court personnel.—

(2) The agreement shall, at a minimum, provide that:

(b) The personnel whose employment is funded under the agreement are hired, supervised, managed, and fired by personnel of the judicial circuit. The county shall be considered the employer for purposes of s. 440.10 and chapter 443. Employees funded by the county under this section and other county employees may be aggregated for purposes of a flexible benefits plan pursuant to s. 125 of the Internal Revenue Code of 1986. The judicial circuit shall supervise the personnel whose employment is funded under the agreement; be responsible for compliance with all requirements of federal and state employment laws, including, but not limited to, Title VII of the Civil Rights Act of 1964, Title I of the Americans with Disabilities Act, 42 U.S.C. s. 1983, the Family Medical Leave Act, the Fair Labor Standards Act, chapters 447 and 760, and ss. 112.3187, 440.105, and 440.205; and fully indemnify the county from any liability under such laws, as authorized by s. 768.28(18) ~~s. 768.28(19)~~, to the extent such liability is the result of the acts or omissions of the judicial circuit or its agents or employees.

Section 4. Paragraph (b) of subsection (2) of section 39.8297, Florida Statutes, is amended to read:

39.8297 County funding for guardian ad litem employees.—

(2) The agreement, at a minimum, must provide that:

(b) The persons who are employed will be hired, supervised, managed, and terminated by the executive director of the Statewide Guardian ad Litem Office. The statewide office is responsible for compliance with all requirements of federal and state employment laws, and shall fully indemnify the county from any liability under such laws, as authorized by s. 768.28(18) ~~s. 768.28(19)~~, to the extent such liability is the result of the acts or omissions of the Statewide Guardian ad Litem Office or its agents or employees.

Section 5. Paragraph (a) of subsection (3) of section 343.811, Florida Statutes, is amended to read:

343.811 Power to assume indemnification and insurance obligations.—

(3) ASSUMPTION OF OBLIGATIONS; PURCHASE OF INSURANCE.—In conjunction with the development or operation of a commuter rail service on the Coastal Link corridor, an agency may:

(a) Assume obligations pursuant to the following:

1.a. The agency may assume the obligation by contract to protect, defend, indemnify, and hold harmless FECR and its officers, agents, and employees from and against:

(I) Any liability, cost, and expense, including, but not limited to, the agency's passengers and other rail corridor invitees in, on, or about the Coastal Link corridor, regardless of whether the loss, damage, destruction, injury, or death giving rise to any such liability, cost, or expense is caused in whole or in part, and to whatever nature or degree, by the fault, failure, negligence, misconduct, nonfeasance, or misfeasance of such freight rail operator, its successors, or its officers, agents, and employees, or any other person or persons whomsoever.

(II) Any loss, injury, or damage incurred by other rail corridor invitees up to the amount of the self-insurance retention amount with respect to limited covered accidents caused by the agency.

b. The agency may assume the obligation by contract to protect, defend, indemnify, and hold harmless Brightline and its officers, agents, and employees from and against:

(I) Any liability, cost, and expense, including, but not limited to, the agency's passengers and rail corridor invitees in the Coastal Link corridor, regardless of whether the loss, damage, destruction, injury, or death giving rise to any such liability, cost, or expense is caused in whole or in part, and to whatever nature or degree, by the fault, failure, negligence, misconduct, nonfeasance, or misfeasance of Brightline, its successors, or its officers, agents, and employees, or any other person or persons whomsoever.

(II) Any loss, injury, or damage incurred by other rail corridor invitees up to the amount of the self-insurance retention amount with respect to limited covered accidents caused by the agency.

2. The assumption of liability of the agency by contract pursuant to sub-subparagraph 1.a. or sub-subparagraph 1.b. may not in any instance exceed the following parameters of allocation of risk:

a. The agency may be solely responsible for any loss, injury, or damage to the agency's passengers, or rail corridor invitees, third parties, or trespassers, regardless of circumstances or cause, subject to sub-subparagraph b. and subparagraphs 3., 4., and 5.

b.(I) In the event of a limited covered accident caused by FECR, the authority of an agency to protect, defend, and indemnify FECR for all liability, cost, and expense, including punitive or exemplary damages, in excess of the self-insurance retention amount exists only if FECR agrees, with respect to such limited covered accident caused by FECR, to protect, defend, and indemnify the agency for the amount of the self-insurance retention amount.

(II) In the event of a limited covered accident caused by Brightline, the authority of an agency to protect, defend, and indemnify Brightline for all liability, cost, and expense, including punitive or exemplary damages, in excess of the self-insurance retention amount exists only if Brightline agrees, with respect to such limited covered accident, to protect, defend, and indemnify the agency for the amount of the self-insurance retention amount.

3. When only one train is involved in an incident and:

a. The train is an agency's train, including an incident with trespassers or at-grade crossings, the agency may be solely responsible for any loss, injury, or damage.

b. The train is FECR's train, including an incident with trespassers or at-grade crossings, FECR is solely responsible for any loss, injury, or damage, except for the agency's passengers and other rail corridor invitees, which are the responsibility of the agency, and Brightline's passengers and other rail corridor invitees, which are the responsibility of Brightline.

c. The train is Brightline's train, including an incident with trespassers or at-grade crossings, Brightline is solely responsible for any loss, injury, or damage, except for the agency's passengers or rail corridor invitees, which are the responsibility of the agency, and FECR's rail corridor invitees, which are the responsibility of FECR.

4. When an incident involves more than one operator, each operator is responsible for:

a. Its property; passengers; employees, excluding employees who are, at the time of the incident, rail corridor invitees of another operator; and other rail corridor invitees.

b. Its proportionate share of any loss or damage to the joint infrastructure.

c. Its proportionate share of any loss, injury, or damage to:

(I) Rail corridor invitees who are not rail corridor invitees of operators, provided that the agency shall always be responsible for its passengers and its rail corridor invitees regardless of whether the agency was involved in the incident.

(II) Trespassers or third parties outside the Coastal Link corridor as a result of the incident.

5. Any such contractual duty to protect, defend, indemnify, and hold harmless FECR or Brightline with respect to claims by rail passengers shall expressly include a specific cap on the amount of the contractual duty, which amount may not exceed \$323 million per occurrence and shall be adjusted so that the per-occurrence insurance requirement is equal to the aggregate allowable awards to all rail passengers, against all defendants, for all claims, including claims for punitive damages, arising from a single accident or incident in accordance with 49 U.S.C. s. 28103, or any successor provision, without prior legislative approval.

6. Notwithstanding any provision of this section to the contrary, the liabilities of the agency to the state or any other agency shall be as set forth in an agreement among such entities and limited by s. 768.28(18) s. 768.28(19).

Neither the assumption by contract to protect, defend, indemnify, and hold harmless; the purchase of insurance; nor the establishment of a self-insurance retention fund shall be deemed to be a waiver of any defense of sovereign immunity for tort claims or deemed to increase the limits of the agency's liability for tort claims as provided in s. 768.28.

Section 6. Subsection (2) of section 944.713, Florida Statutes, is amended to read:

944.713 Insurance against liability.—

(2) The contract shall provide for indemnification of the state by the private vendor for any liabilities incurred up to the limits provided under s. 768.28(5). The contract shall provide that the private vendor, or the insurer of the private vendor, is liable to pay any claim or judgment for any one person which does not exceed the *applicable maximum amount provided in s. 768.28(5) sum of \$100,000 or any claim or judgment, or portions thereof, which, when totaled with all other claims or judgments arising out of the same incident or occurrence, does not exceed the sum of \$200,000.* In addition, the contractor must agree to defend, hold harmless, and indemnify the department against any and all actions, claims, damages and losses, including costs and attorney's fees.

Section 7. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (5) of section 45.061, Florida Statutes, is reenacted to read:

45.061 Offers of settlement.—

(5) Sanctions authorized under this section may be imposed notwithstanding any limitation on recovery of costs or expenses which may be provided by contract or in other provisions of Florida law. This section shall not be construed to waive the limits of sovereign immunity set forth in s. 768.28.

Section 8. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, paragraph (f) of subsection (6) of section 95.11, Florida Statutes, is reenacted to read:

95.11 Limitations other than for the recovery of real property.— Actions other than for recovery of real property shall be commenced as follows:

(6) WITHIN ONE YEAR.—

(f) Except for actions described in subsection (9), or a petition challenging a criminal conviction, all petitions; extraordinary writs; tort actions, including those under s. 768.28(14); or other actions which concern any condition of confinement of a prisoner filed by or on behalf of a prisoner as defined in s. 57.085. Any petition, writ, or action brought under this paragraph must be commenced within 1 year after the time the incident, conduct, or conditions occurred or within 1 year after the time the incident, conduct, or conditions were discovered, or should have been discovered.

Section 9. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (4) of section 110.504, Florida Statutes, is reenacted to read:

110.504 Volunteer benefits.—

(4) Volunteers shall be covered by state liability protection in accordance with the definition of a volunteer and the provisions of s. 768.28.

Section 10. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, paragraph (a) of subsection (1) of section 111.071, Florida Statutes, is reenacted to read:

111.071 Payment of judgments or settlements against certain public officers or employees.—

(1) Any county, municipality, political subdivision, or agency of the state which has been excluded from participation in the Insurance Risk Management Trust Fund is authorized to expend available funds to pay:

(a) Any final judgment, including damages, costs, and attorney's fees, arising from a complaint for damages or injury suffered as a result of any act or omission of action of any officer, employee, or agent in a civil or civil rights lawsuit described in s. 111.07. If the civil action arises under s. 768.28 as a tort claim, the limitations and provisions of s. 768.28 governing payment shall apply. If the action is a civil rights action arising under 42 U.S.C. s. 1983, or similar federal statutes, payments for the full amount of the judgment may be made unless the officer, employee, or agent has been determined in the final judgment to have caused the harm intentionally.

Section 11. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, paragraph (b) of subsection (2) of section 125.01015, Florida Statutes, is reenacted to read:

125.01015 Office of the sheriff.—

(2) To ensure the successful transfer of the exclusive policing responsibility and authority to the sheriff in a county, as defined in s. 125.011(1), the board of county commissioners shall:

(b) After the election of the sheriff is certified:

1. Provide funding for all of the necessary staff and office space for the sheriff-elect to establish an independent office of the sheriff, so that the office may effectively operate and perform all of the functions required by general law when the sheriff-elect takes office.

2. Provide funding for the sheriff-elect to select any necessary insurances not provided by the county through the interlocal agreement required under sub-subparagraph 6.d. to allow the sheriff to effectively operate and perform all of the functions required by general law when he or she takes office.

3. Provide funding for the sheriff-elect to establish bank and other accounts, as necessary, in his or her official capacity as sheriff, so that such accounts become operational when he or she takes office.

4. Unless otherwise transferable based on existing surety bonds for the sheriff's deputies, provide funding for and facilitate procurement of the required surety bonds for deputy sheriffs pursuant to s. 30.09, so that such bonds are in place when the sheriff-elect takes office.

5. Prepare and deliver to the office of the sheriff all documents, property, and other items listed in subsection (4).

6. Notwithstanding any provision to the contrary, for a term commencing on January 7, 2025, and ending on or after September 30, 2028, provide the sheriff-elect taking office with, and require the sheriff-elect taking office to use, not less than the substantially and materially same support services, facilities, office space, and information technology infrastructure provided to county offices or departments performing the duties to be performed by the sheriff-elect upon taking office in the 1-year period before he or she takes office.

a. As used in this subparagraph, the term "support services" includes:

(I) Property and facilities, and the management and maintenance for such property and facilities.

(II) Communications infrastructure, including telephone and Internet connectivity.

(III) Risk management, including processing, adjusting, and payment of all claims and demands, including those made under s. 768.28. The county shall provide the sheriff with all required general liability, property, and other insurance coverage through its self-insurance program, a self-insurance risk pool, or commercial insurance. If the county provides insurance through a self-insurance program, the county must also provide the sheriff with commercial stop-loss coverage in an amount and with a self-insured retention agreed upon by the sheriff and the county.

(IV) Legal representation and advice through the office of the county attorney for all claims, demands, and causes of action brought against the sheriff, his or her deputies, or other personnel in their official and individual capacities, while acting in their official and individual capacities, including any required outside counsel due to conflicts of interest. This sub-sub-subparagraph does not prohibit the sheriff from employing or retaining his or her own legal representation as he or she deems necessary.

(V) Purchasing and procurement services using procedures under the laws and ordinances applicable to the county for purchases requiring competitive procurement.

(VI) Budget and fiscal software and budget development services.

(VII) Human resource services, including, but not limited to, facilitation of the hiring process, including employee applicant screening and employee applicant background checks, and employee benefit administration. The county may provide human resource services to the sheriff. However, the sheriff is the employer of his or her employees, and the sheriff retains full and complete control and authority over the hiring of his or her employees and the terms and conditions of employment, including employee discipline and termination of employment. The provision of human resource services by the county to the sheriff does not create a joint-employer relationship. The sheriff's employees shall remain members of the county's health insurance and workers' compensation plans for at least the term set forth in this subparagraph.

(VIII) Fleet management, including procurement of all vehicles and other mobile assets such as boats and aircraft, and all vehicle repair and maintenance.

b. As used in this subparagraph, the term "information technology infrastructure" includes:

(I) All hardware, including computers.

(II) Budget and fiscal software, including payroll and purchasing software.

(III) Computer-aided dispatch.

c. Under a cost allocation plan agreed to by the county and the sheriff, the sheriff shall pay the county for such support services and information technology infrastructure from his or her general fund budget, except for any support services and information technology infrastructure costs that general law otherwise and expressly requires the county to fund outside the sheriff's budget.

d. To satisfy compliance with this subsection and to establish the office of the sheriff in a manner that minimizes unnecessary financial expenditures, the county and the sheriff shall execute an interlocal agreement addressing the requirements of this subsection and other expenditures, including an appropriate phase-in period for identification of the sheriff's assets with the sheriff's markings to minimize the cost to taxpayers. The interlocal agreement shall have a term that ends no earlier than September 30, 2028, and may be amended, renewed, extended, or newly adopted at any time following the expiration or termination of the agreement. After the initial period ending no earlier than September 30, 2028, an interlocal agreement may be entered into between the county and the sheriff which provides for the same or different requirements as set forth in this subsection.

Section 12. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in references thereto, paragraph (h) of subsection (3) and paragraph (k) of subsection (15) of section 163.01, Florida Statutes, are reenacted to read:

163.01 Florida Interlocal Cooperation Act of 1969.—

(3) As used in this section:

(h) "Local government liability pool" means a reciprocal insurer as defined in s. 629.011 or any self-insurance program created pursuant to s. 768.28(16), formed and controlled by counties or municipalities of this state to provide liability insurance coverage for counties, municipalities, or other public agencies of this state, which pool may contract with

other parties for the purpose of providing claims administration, processing, accounting, and other administrative facilities.

(15) Notwithstanding any other provision of this section or of any other law except s. 361.14, any public agency of this state which is an electric utility, or any separate legal entity created pursuant to the provisions of this section, the membership of which consists only of electric utilities, and which exercises or proposes to exercise the powers granted by part II of chapter 361, the Joint Power Act, may exercise any or all of the following powers:

(k) The limitations on waiver in the provisions of s. 768.28 or any other law to the contrary notwithstanding, the Legislature, in accordance with s. 13, Art. X of the State Constitution, hereby declares that any such legal entity or any public agency of this state that participates in any electric project waives its sovereign immunity to:

1. All other persons participating therein; and

2. Any person in any manner contracting with a legal entity of which any such public agency is a member, with relation to:

a. Ownership, operation, or any other activity set forth in sub-subparagraph (b)2.d. with relation to any electric project; or

b. The supplying or purchasing of services, output, capacity, energy, or any combination thereof.

Section 13. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, section 190.043, Florida Statutes, is reenacted to read:

190.043 Suits against the district.—Any suit or action brought or maintained against the district for damages arising out of tort, including, without limitation, any claim arising upon account of an act causing an injury or loss of property, personal injury, or death, shall be subject to the limitations provided in s. 768.28.

Section 14. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (13) of section 213.015, Florida Statutes, is reenacted to read:

213.015 Taxpayer rights.—There is created a Florida Taxpayer's Bill of Rights to guarantee that the rights, privacy, and property of Florida taxpayers are adequately safeguarded and protected during tax 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 which explain, in simple, nontechnical terms, the rights and obligations of the Department of Revenue and taxpayers. Section 192.0105 provides additional rights afforded to payors of property taxes and assessments. The rights afforded taxpayers to ensure that their privacy and property are safeguarded and protected during tax 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 Florida taxpayers in the Florida Statutes and the departmental rules are:

(13) The right to an action at law within the limitations of s. 768.28, relating to sovereign immunity, to recover damages against the state or the Department of Revenue for injury caused by the wrongful or negligent act or omission of a department officer or employee (see s. 768.28).

Section 15. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, section 252.51, Florida Statutes, is reenacted to read:

252.51 Liability.—Any person or organization, public or private, owning or controlling real estate or other premises who voluntarily and without compensation, other than payment or reimbursement of costs and expenses, grants a license or privilege or otherwise permits the designation by the local emergency management agency or use of the whole or any part of such real estate or premises for the purpose of sheltering persons during an actual, impending, mock, or practice emergency, together with her or his successor in interest, if any, shall not be liable for the death of, or injury to, any person on or about such real estate or premises during the actual, impending, mock, or practice emergency, or for loss of, or damage to, the property of such person, solely by reason or as a result of such license, privilege, designation, or

use, unless the gross negligence or the willful and wanton misconduct of such person owning or controlling such real estate or premises or her or his successor in interest is the proximate cause of such death, injury, loss, or damage occurring during such sheltering period. Any such person or organization who provides such shelter space for compensation shall be deemed to be an instrumentality of the state or its applicable agency or subdivision for the purposes of s. 768.28.

Section 16. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, section 252.89, Florida Statutes, is reenacted to read:

252.89 Tort liability.—The commission and the committees shall be state agencies, and the members of the commission and committees shall be officers, employees, or agents of the state for the purposes of s. 768.28.

Section 17. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (1) of section 252.944, Florida Statutes, is reenacted to read:

252.944 Tort liability.—The commission and the committees are state agencies, and the members of the commission and committees are officers, employees, or agents of the state for the purpose of s. 768.28.

Section 18. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (2) of section 260.0125, Florida Statutes, is reenacted to read:

260.0125 Limitation on liability of private landowners whose property is designated as part of the statewide system of greenways and trails.—

(2) Any private landowner who consents to designation of his or her land as part of the statewide system of greenways and trails pursuant to s. 260.016(2)(d) without compensation shall be considered a volunteer, as defined in s. 110.501, and shall be covered by state liability protection pursuant to s. 768.28, including s. 768.28(9).

Section 19. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, section 284.31, Florida Statutes, is reenacted to read:

284.31 Scope and types of coverages; separate accounts.—The Insurance Risk Management Trust Fund must, unless specifically excluded by the Department of Financial Services, cover all departments of the State of Florida and their employees, agents, and volunteers and must provide separate accounts for workers' compensation, general liability, fleet automotive liability, federal civil rights actions under 42 U.S.C. s. 1983 or similar federal statutes, state agency firefighter cancer benefits payable under s. 112.1816(2), and court-awarded attorney fees in other proceedings against the state except for such awards in eminent domain or for inverse condemnation or for awards by the Public Employees Relations Commission. Unless specifically excluded by the Department of Financial Services, the Insurance Risk Management Trust Fund must provide fleet automotive liability coverage to motor vehicles titled to the state, or to any department of the state, when such motor vehicles are used by community transportation coordinators performing, under contract to the appropriate department of the state, services for the transportation disadvantaged under part I of chapter 427. Such fleet automotive liability coverage is primary and is subject to s. 768.28 and parts II and III of chapter 284, and applicable rules adopted thereunder, and the terms and conditions of the certificate of coverage issued by the Department of Financial Services.

Section 20. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in references thereto, section 284.38, Florida Statutes, is reenacted to read:

284.38 Waiver of sovereign immunity; effect.—The insurance programs developed herein shall provide limits as established by the provisions of s. 768.28 if a tort claim. The limits provided in s. 768.28 shall not apply to a civil rights action arising under 42 U.S.C. s. 1983 or similar federal statute. Payment of a pending or future claim or judgment arising under any of said statutes may be made upon this act becoming a law, unless the officer, employee, or agent has been determined in the final judgment to have caused the harm intentionally;

however, the fund is authorized to pay all other court-ordered attorney's fees as provided under s. 284.31.

Section 21. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, paragraph (b) of subsection (1) of section 322.13, Florida Statutes, is reenacted to read:

322.13 Driver license examiners.—

(1)

(b) Those persons serving as driver license examiners are not liable for actions taken within the scope of their employment or designation, except as provided by s. 768.28.

Section 22. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (1) of section 337.19, Florida Statutes, is reenacted to read:

337.19 Suits by and against department; limitation of actions; forum.—

(1) Suits at law and in equity may be brought and maintained by and against the department on any contract claim arising from breach of an express provision or an implied covenant of a written agreement or a written directive issued by the department pursuant to the written agreement. In any such suit, the department and the contractor shall have all of the same rights and obligations as a private person under a like contract except that no liability may be based on an oral modification of either the written contract or written directive. Nothing herein shall be construed to waive the sovereign immunity of the state and its political subdivisions from equitable claims and equitable remedies. Notwithstanding anything to the contrary contained in this section, no employee or agent of the department may be held personally liable to an extent greater than that pursuant to s. 768.28 provided that no suit sounding in tort shall be maintained against the department.

Section 23. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (17) of section 341.302, Florida Statutes, is reenacted to read:

341.302 Rail program; duties and responsibilities of the department.—The department, in conjunction with other governmental entities, including the rail enterprise and the private sector, shall develop and implement a rail program of statewide application designed to ensure the proper maintenance, safety, revitalization, and expansion of the rail system to assure its continued and increased availability to respond to statewide mobility needs. Within the resources provided pursuant to chapter 216, and as authorized under federal law, the department shall:

(17) In conjunction with the acquisition, ownership, construction, operation, maintenance, and management of a rail corridor, have the authority to:

(a) Assume obligations pursuant to the following:

1.a. The department may assume the obligation by contract to forever protect, defend, indemnify, and hold harmless the freight rail operator, or its successors, from whom the department has acquired a real property interest in the rail corridor, and that freight rail operator's officers, agents, and employees, from and against any liability, cost, and expense, including, but not limited to, commuter rail passengers and rail corridor invitees in the rail corridor, regardless of whether the loss, damage, destruction, injury, or death giving rise to any such liability, cost, or expense is caused in whole or in part, and to whatever nature or degree, by the fault, failure, negligence, misconduct, nonfeasance, or misfeasance of such freight rail operator, its successors, or its officers, agents, and employees, or any other person or persons whomsoever; or

b. The department may assume the obligation by contract to forever protect, defend, indemnify, and hold harmless National Railroad Passenger Corporation, or its successors, and officers, agents, and employees of National Railroad Passenger Corporation, from and against any liability, cost, and expense, including, but not limited to, commuter rail passengers and rail corridor invitees in the rail corridor, regardless of whether the loss, damage, destruction, injury, or death giving rise to any such liability, cost, or expense is caused in whole or in part, and to

whatever nature or degree, by the fault, failure, negligence, misconduct, nonfeasance, or misfeasance of National Railroad Passenger Corporation, its successors, or its officers, agents, and employees, or any other person or persons whomsoever.

2. The assumption of liability of the department by contract pursuant to sub-subparagraph 1.a. or sub-subparagraph 1.b. may not in any instance exceed the following parameters of allocation of risk:

a. The department may be solely responsible for any loss, injury, or damage to commuter rail passengers, or rail corridor invitees, or trespassers, regardless of circumstances or cause, subject to sub-subparagraph b. and subparagraphs 3., 4., 5., and 6.

b.(I) In the event of a limited covered accident, the authority of the department to protect, defend, and indemnify the freight operator for all liability, cost, and expense, including punitive or exemplary damages, in excess of the deductible or self-insurance retention fund established under paragraph (b) and actually in force at the time of the limited covered accident exists only if the freight operator agrees, with respect to the limited covered accident, to protect, defend, and indemnify the department for the amount of the deductible or self-insurance retention fund established under paragraph (b) and actually in force at the time of the limited covered accident.

(II) In the event of a limited covered accident, the authority of the department to protect, defend, and indemnify National Railroad Passenger Corporation for all liability, cost, and expense, including punitive or exemplary damages, in excess of the deductible or self-insurance retention fund established under paragraph (b) and actually in force at the time of the limited covered accident exists only if National Railroad Passenger Corporation agrees, with respect to the limited covered accident, to protect, defend, and indemnify the department for the amount of the deductible or self-insurance retention fund established under paragraph (b) and actually in force at the time of the limited covered accident.

3. When only one train is involved in an incident, the department may be solely responsible for any loss, injury, or damage if the train is a department train or other train pursuant to subparagraph 4., but only if:

a. When an incident occurs with only a freight train involved, including incidents with trespassers or at grade crossings, the freight rail operator is solely responsible for any loss, injury, or damage, except for commuter rail passengers and rail corridor invitees; or

b. When an incident occurs with only a National Railroad Passenger Corporation train involved, including incidents with trespassers or at grade crossings, National Railroad Passenger Corporation is solely responsible for any loss, injury, or damage, except for commuter rail passengers and rail corridor invitees.

4. For the purposes of this subsection:

a. Any train involved in an incident that is neither the department's train nor the freight rail operator's train, hereinafter referred to in this subsection as an "other train," may be treated as a department train, solely for purposes of any allocation of liability between the department and the freight rail operator only, but only if the department and the freight rail operator share responsibility equally as to third parties outside the rail corridor who incur loss, injury, or damage as a result of any incident involving both a department train and a freight rail operator train, and the allocation as between the department and the freight rail operator, regardless of whether the other train is treated as a department train, shall remain one-half each as to third parties outside the rail corridor who incur loss, injury, or damage as a result of the incident. The involvement of any other train shall not alter the sharing of equal responsibility as to third parties outside the rail corridor who incur loss, injury, or damage as a result of the incident; or

b. Any train involved in an incident that is neither the department's train nor the National Railroad Passenger Corporation's train, hereinafter referred to in this subsection as an "other train," may be treated as a department train, solely for purposes of any allocation of liability between the department and National Railroad Passenger Corporation only, but only if the department and National Railroad Passenger Corporation share responsibility equally as to third parties outside the

rail corridor who incur loss, injury, or damage as a result of any incident involving both a department train and a National Railroad Passenger Corporation train, and the allocation as between the department and National Railroad Passenger Corporation, regardless of whether the other train is treated as a department train, shall remain one-half each as to third parties outside the rail corridor who incur loss, injury, or damage as a result of the incident. The involvement of any other train shall not alter the sharing of equal responsibility as to third parties outside the rail corridor who incur loss, injury, or damage as a result of the incident.

5. When more than one train is involved in an incident:

a.(I) If only a department train and freight rail operator's train, or only an other train as described in sub-subparagraph 4.a. and a freight rail operator's train, are involved in an incident, the department may be responsible for its property and all of its people, all commuter rail passengers, and rail corridor invitees, but only if the freight rail operator is responsible for its property and all of its people, and the department and the freight rail operator each share one-half responsibility as to trespassers or third parties outside the rail corridor who incur loss, injury, or damage as a result of the incident; or

(II) If only a department train and a National Railroad Passenger Corporation train, or only an other train as described in sub-subparagraph 4.b. and a National Railroad Passenger Corporation train, are involved in an incident, the department may be responsible for its property and all of its people, all commuter rail passengers, and rail corridor invitees, but only if National Railroad Passenger Corporation is responsible for its property and all of its people, all National Railroad Passenger Corporation's rail passengers, and the department and National Railroad Passenger Corporation each share one-half responsibility as to trespassers or third parties outside the rail corridor who incur loss, injury, or damage as a result of the incident.

b.(I) If a department train, a freight rail operator train, and any other train are involved in an incident, the allocation of liability between the department and the freight rail operator, regardless of whether the other train is treated as a department train, shall remain one-half each as to third parties outside the rail corridor who incur loss, injury, or damage as a result of the incident; the involvement of any other train shall not alter the sharing of equal responsibility as to third parties outside the rail corridor who incur loss, injury, or damage as a result of the incident; and, if the owner, operator, or insurer of the other train makes any payment to injured third parties outside the rail corridor who incur loss, injury, or damage as a result of the incident, the allocation of credit between the department and the freight rail operator as to such payment shall not in any case reduce the freight rail operator's third-party-sharing allocation of one-half under this paragraph to less than one-third of the total third party liability; or

(II) If a department train, a National Railroad Passenger Corporation train, and any other train are involved in an incident, the allocation of liability between the department and National Railroad Passenger Corporation, regardless of whether the other train is treated as a department train, shall remain one-half each as to third parties outside the rail corridor who incur loss, injury, or damage as a result of the incident; the involvement of any other train shall not alter the sharing of equal responsibility as to third parties outside the rail corridor who incur loss, injury, or damage as a result of the incident; and, if the owner, operator, or insurer of the other train makes any payment to injured third parties outside the rail corridor who incur loss, injury, or damage as a result of the incident, the allocation of credit between the department and National Railroad Passenger Corporation as to such payment shall not in any case reduce National Railroad Passenger Corporation's third-party-sharing allocation of one-half under this sub-subparagraph to less than one-third of the total third party liability.

6. Any such contractual duty to protect, defend, indemnify, and hold harmless such a freight rail operator or National Railroad Passenger Corporation shall expressly include a specific cap on the amount of the contractual duty, which amount shall not exceed \$200 million without prior legislative approval, and the department to purchase liability insurance and establish a self-insurance retention fund in the amount of the specific cap established under this subparagraph, provided that:

a. No such contractual duty shall in any case be effective nor otherwise extend the department's liability in scope and effect beyond

the contractual liability insurance and self-insurance retention fund required pursuant to this paragraph; and

b.(I) The freight rail operator's compensation to the department for future use of the department's rail corridor shall include a monetary contribution to the cost of such liability coverage for the sole benefit of the freight rail operator.

(II) National Railroad Passenger Corporation's compensation to the department for future use of the department's rail corridor shall include a monetary contribution to the cost of such liability coverage for the sole benefit of National Railroad Passenger Corporation.

(b) Purchase liability insurance, which amount shall not exceed \$200 million, and establish a self-insurance retention fund for the purpose of paying the deductible limit established in the insurance policies it may obtain, including coverage for the department, any freight rail operator as described in paragraph (a), National Railroad Passenger Corporation, commuter rail service providers, governmental entities, or any ancillary development, which self-insurance retention fund or deductible shall not exceed \$10 million. The insureds shall pay a reasonable monetary contribution to the cost of such liability coverage for the sole benefit of the insured. Such insurance and self-insurance retention fund may provide coverage for all damages, including, but not limited to, compensatory, special, and exemplary, and be maintained to provide an adequate fund to cover claims and liabilities for loss, injury, or damage arising out of or connected with the ownership, operation, maintenance, and management of a rail corridor.

(c) Incur expenses for the purchase of advertisements, marketing, and promotional items.

(d) Without altering any of the rights granted to the department under this section, agree to assume the obligations to indemnify and insure, pursuant to s. 343.545, freight rail service, intercity passenger rail service, and commuter rail service on a department-owned rail corridor, whether ownership is in fee or by easement, or on a rail corridor where the department has the right to operate.

Neither the assumption by contract to protect, defend, indemnify, and hold harmless; the purchase of insurance; nor the establishment of a self-insurance retention fund shall be deemed to be a waiver of any defense of sovereign immunity for torts nor deemed to increase the limits of the department's or the governmental entity's liability for torts as provided in s. 768.28. The requirements of s. 287.022(1) shall not apply to the purchase of any insurance under this subsection. The provisions of this subsection shall apply and inure fully as to any other governmental entity providing commuter rail service and constructing, operating, maintaining, or managing a rail corridor on publicly owned right-of-way under contract by the governmental entity with the department or a governmental entity designated by the department. Notwithstanding any law to the contrary, procurement for the construction, operation, maintenance, and management of any rail corridor described in this subsection, whether by the department, a governmental entity under contract with the department, or a governmental entity designated by the department, shall be pursuant to s. 287.057 and shall include, but not be limited to, criteria for the consideration of qualifications, technical aspects of the proposal, and price. Further, any such contract for design-build shall be procured pursuant to the criteria in s. 337.11(7).

Section 24. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (3) of section 343.811, Florida Statutes, is reenacted to read:

343.811 Power to assume indemnification and insurance obligations.—

(3) ASSUMPTION OF OBLIGATIONS; PURCHASE OF INSURANCE.—In conjunction with the development or operation of a commuter rail service on the Coastal Link corridor, an agency may:

(a) Assume obligations pursuant to the following:

1.a. The agency may assume the obligation by contract to protect, defend, indemnify, and hold harmless FECR and its officers, agents, and employees from and against:

(I) Any liability, cost, and expense, including, but not limited to, the agency's passengers and other rail corridor invitees in, on, or about the Coastal Link corridor, regardless of whether the loss, damage, de-

struction, injury, or death giving rise to any such liability, cost, or expense is caused in whole or in part, and to whatever nature or degree, by the fault, failure, negligence, misconduct, nonfeasance, or misfeasance of such freight rail operator, its successors, or its officers, agents, and employees, or any other person or persons whomsoever.

(II) Any loss, injury, or damage incurred by other rail corridor invitees up to the amount of the self-insurance retention amount with respect to limited covered accidents caused by the agency.

b. The agency may assume the obligation by contract to protect, defend, indemnify, and hold harmless Brightline and its officers, agents, and employees from and against:

(I) Any liability, cost, and expense, including, but not limited to, the agency's passengers and rail corridor invitees in the Coastal Link corridor, regardless of whether the loss, damage, destruction, injury, or death giving rise to any such liability, cost, or expense is caused in whole or in part, and to whatever nature or degree, by the fault, failure, negligence, misconduct, nonfeasance, or misfeasance of Brightline, its successors, or its officers, agents, and employees, or any other person or persons whomsoever.

(II) Any loss, injury, or damage incurred by other rail corridor invitees up to the amount of the self-insurance retention amount with respect to limited covered accidents caused by the agency.

2. The assumption of liability of the agency by contract pursuant to sub-subparagraph 1.a. or sub-subparagraph 1.b. may not in any instance exceed the following parameters of allocation of risk:

a. The agency may be solely responsible for any loss, injury, or damage to the agency's passengers, or rail corridor invitees, third parties, or trespassers, regardless of circumstances or cause, subject to sub-subparagraph b. and subparagraphs 3., 4., and 5.

b.(I) In the event of a limited covered accident caused by FECR, the authority of an agency to protect, defend, and indemnify FECR for all liability, cost, and expense, including punitive or exemplary damages, in excess of the self-insurance retention amount exists only if FECR agrees, with respect to such limited covered accident caused by FECR, to protect, defend, and indemnify the agency for the amount of the self-insurance retention amount.

(II) In the event of a limited covered accident caused by Brightline, the authority of an agency to protect, defend, and indemnify Brightline for all liability, cost, and expense, including punitive or exemplary damages, in excess of the self-insurance retention amount exists only if Brightline agrees, with respect to such limited covered accident, to protect, defend, and indemnify the agency for the amount of the self-insurance retention amount.

3. When only one train is involved in an incident and:

a. The train is an agency's train, including an incident with trespassers or at-grade crossings, the agency may be solely responsible for any loss, injury, or damage.

b. The train is FECR's train, including an incident with trespassers or at-grade crossings, FECR is solely responsible for any loss, injury, or damage, except for the agency's passengers and other rail corridor invitees, which are the responsibility of the agency, and Brightline's passengers and other rail corridor invitees, which are the responsibility of Brightline.

c. The train is Brightline's train, including an incident with trespassers or at-grade crossings, Brightline is solely responsible for any loss, injury, or damage, except for the agency's passengers or rail corridor invitees, which are the responsibility of the agency, and FECR's rail corridor invitees, which are the responsibility of FECR.

4. When an incident involves more than one operator, each operator is responsible for:

a. Its property; passengers; employees, excluding employees who are, at the time of the incident, rail corridor invitees of another operator; and other rail corridor invitees.

b. Its proportionate share of any loss or damage to the joint infrastructure.

c. Its proportionate share of any loss, injury, or damage to:

(I) Rail corridor invitees who are not rail corridor invitees of operators, provided that the agency shall always be responsible for its passengers and its rail corridor invitees regardless of whether the agency was involved in the incident.

(II) Trespassers or third parties outside the Coastal Link corridor as a result of the incident.

5. Any such contractual duty to protect, defend, indemnify, and hold harmless FECR or Brightline with respect to claims by rail passengers shall expressly include a specific cap on the amount of the contractual duty, which amount may not exceed \$323 million per occurrence and shall be adjusted so that the per-occurrence insurance requirement is equal to the aggregate allowable awards to all rail passengers, against all defendants, for all claims, including claims for punitive damages, arising from a single accident or incident in accordance with 49 U.S.C. s. 28103, or any successor provision, without prior legislative approval.

6. Notwithstanding any provision of this section to the contrary, the liabilities of the agency to the state or any other agency shall be as set forth in an agreement among such entities and limited by s. 768.28(19).

(b) Purchase liability insurance, which amount may not exceed \$323 million per occurrence, which amount shall be adjusted so that the per-occurrence insurance requirement is equal to the aggregate allowable awards to all rail passengers, against all defendants, for all claims, including claims for punitive damages, arising from a single accident or incident in accordance with 49 U.S.C. s. 28103, or any successor provision, and establish a self-insurance retention fund for the purpose of paying the deductible limit established in the insurance policies it may obtain, including coverage for a county agency, any freight rail operator as described in paragraph (a), Brightline, commuter rail service providers, governmental entities, or any ancillary development, which self-insurance retention fund or deductible shall not exceed the self-insurance retention amount.

1. Such insurance and self-insurance retention fund may provide coverage for all damages, including, but not limited to, compensatory, special, and exemplary, and be maintained to provide an adequate fund to cover claims and liabilities for loss, injury, or damage arising out of or connected with the ownership, operation, maintenance, and management of the Coastal Link corridor.

2. Any self-insured retention account shall be a segregated account of the agency and shall be subject to the same conditions, restrictions, exclusions, obligations, and duties included in any and all of the policies of liability insurance purchased under this paragraph.

3. Unless otherwise specifically provided by general law, FECR and Brightline, and their respective officers, agents, and employees, are not officers, agents, employees, or subdivisions of the state and are not entitled to sovereign immunity.

Neither the assumption by contract to protect, defend, indemnify, and hold harmless; the purchase of insurance; nor the establishment of a self-insurance retention fund shall be deemed to be a waiver of any defense of sovereign immunity for tort claims or deemed to increase the limits of the agency's liability for tort claims as provided in s. 768.28.

Section 25. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, paragraph (c) of subsection (4) of section 351.03, Florida Statutes, is reenacted to read:

351.03 Railroad-highway grade-crossing warning signs and signals; audible warnings; exercise of reasonable care; blocking highways, roads, and streets during darkness.—

(4)

(c) Nothing in this subsection shall be construed to nullify the liability provisions of s. 768.28.

Section 26. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (6) of section 373.1395, Florida Statutes, is reenacted to read:

373.1395 Limitation on liability of water management district with respect to areas made available to the public for recreational purposes without charge.—

(6) This section does not relieve any water management district of any liability that would otherwise exist for gross negligence or a deliberate, willful, or malicious injury to a person or property. This section does not create or increase the liability of any water management district or person beyond that which is authorized by s. 768.28.

Section 27. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, paragraph (a) of subsection (3) of section 375.251, Florida Statutes, is reenacted to read:

375.251 Limitation on liability of persons making available to public certain areas for recreational purposes without charge.—

(3)(a) An owner of an area who enters into a written agreement concerning the area with a state agency for outdoor recreational purposes, where such agreement recognizes that the state agency is responsible for personal injury, loss, or damage resulting in whole or in part from the state agency's use of the area under the terms of the agreement subject to the limitations and conditions specified in s. 768.28, owes no duty of care to keep the area safe for entry or use by others, or to give warning to persons entering or going on the area of any hazardous conditions, structures, or activities thereon. An owner who enters into a written agreement concerning the area with a state agency for outdoor recreational purposes:

1. Is not presumed to extend any assurance that the area is safe for any purpose;

2. Does not incur any duty of care toward a person who goes on the area that is subject to the agreement; or

3. Is not liable or responsible for any injury to persons or property caused by the act or omission of a person who goes on the area that is subject to the agreement.

Section 28. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (9) of section 381.0056, Florida Statutes, is reenacted to read:

381.0056 School health services program.—

(9) Any health care entity that provides school health services under contract with the department pursuant to a school health services plan developed under this section, and as part of a school nurse services public-private partnership, is deemed to be a corporation acting primarily as an instrumentality of the state solely for the purpose of limiting liability pursuant to s. 768.28(5). The limitations on tort actions contained in s. 768.28(5) shall apply to any action against the entity with respect to the provision of school health services, if the entity is acting within the scope of and pursuant to guidelines established in the contract or by rule of the department. The contract must require the entity, or the partnership on behalf of the entity, to obtain general liability insurance coverage, with any additional endorsement necessary to insure the entity for liability assumed by its contract with the department. The Legislature intends that insurance be purchased by entities, or by partnerships on behalf of the entity, to cover all liability claims, and under no circumstances shall the state or the department be responsible for payment of any claims or defense costs for claims brought against the entity or its subcontractor for services performed under the contract with the department. This subsection does not preclude consideration by the Legislature for payment by the state of any claims bill involving an entity contracting with the department pursuant to this section.

Section 29. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (3) of section 393.075, Florida Statutes, is reenacted to read:

393.075 General liability coverage.—

(3) This section shall not be construed as designating or not designating that a person who owns or operates a foster care facility or group home facility as described in this section or any other person is an employee or agent of the state. Nothing in this section amends, expands, or supersedes the provisions of s. 768.28.

Section 30. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (7) of section 394.9085, Florida Statutes, is reenacted to read:

394.9085 Behavioral provider liability.—

(7) This section shall not be construed to waive sovereign immunity for any governmental unit or other entity protected by sovereign immunity. Section 768.28 shall continue to apply to all governmental units and such entities.

Section 31. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, paragraph (g) of subsection (10) of section 395.1055, Florida Statutes, is reenacted to read:

395.1055 Rules and enforcement.—

(10) The agency shall establish a pediatric cardiac technical advisory panel, pursuant to s. 20.052, to develop procedures and standards for measuring outcomes of pediatric cardiac catheterization programs and pediatric cardiovascular surgery programs.

(g) Panel members are agents of the state for purposes of s. 768.28 throughout the good faith performance of the duties assigned to them by the Secretary of Health Care Administration.

Section 32. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, paragraph (c) of subsection (17) of section 403.706, Florida Statutes, is reenacted to read:

403.706 Local government solid waste responsibilities.—

(17) To effect the purposes of this part, counties and municipalities are authorized, in addition to other powers granted pursuant to this part:

(c) To waive sovereign immunity and immunity from suit in federal court by vote of the governing body of the county or municipality to the extent necessary to carry out the authority granted in paragraphs (a) and (b), notwithstanding the limitations prescribed in s. 768.28.

Section 33. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, paragraph (b) of subsection (15) of section 409.175, Florida Statutes, is reenacted to read:

409.175 Licensure of family foster homes, residential child-caring agencies, and child-placing agencies; public records exemption.—

(15)

(b) This subsection may not be construed as designating or not designating that a person who owns or operates a family foster home as described in this subsection or any other person is an employee or agent of the state. Nothing in this subsection amends, expands, or supersedes the provisions of s. 768.28.

Section 34. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in references thereto, subsection (1), paragraph (a) of subsection (2), and paragraph (a) of subsection (3) of section 409.993, Florida Statutes, are reenacted to read:

409.993 Lead agencies and subcontractor liability.—

(1) FINDINGS.—

(a) The Legislature finds that the state has traditionally provided foster care services to children who are the responsibility of the state. As such, foster children have not had the right to recover for injuries beyond the limitations specified in s. 768.28. The Legislature has de-

termined that foster care and related services should be outsourced pursuant to this section and that the provision of such services is of paramount importance to the state. The purpose of such outsourcing is to increase the level of safety, security, and stability of children who are or become the responsibility of the state. One of the components necessary to secure a safe and stable environment for such children is the requirement that private providers maintain liability insurance. As such, insurance needs to be available and remain available to non-governmental foster care and related services providers without the resources of such providers being significantly reduced by the cost of maintaining such insurance.

(b) The Legislature further finds that, by requiring the following minimum levels of insurance, children in outsourced foster care and related services will gain increased protection and rights of recovery in the event of injury than currently provided in s. 768.28.

(2) LEAD AGENCY LIABILITY.—

(a) Other than an entity to which s. 768.28 applies, an eligible community-based care lead agency, or its employees or officers, except as otherwise provided in paragraph (b), shall, as a part of its contract, obtain a minimum of \$1 million per occurrence with a policy period aggregate limit of \$3 million in general liability insurance coverage. The lead agency must also require that staff who transport client children and families in their personal automobiles in order to carry out their job responsibilities obtain minimum bodily injury liability insurance in the amount of \$100,000 per person per any one automobile accident, and subject to such limits for each person, \$300,000 for all damages resulting from any one automobile accident, on their personal automobiles. In lieu of personal motor vehicle insurance, the lead agency's casualty, liability, or motor vehicle insurance carrier may provide nonowned automobile liability coverage. This insurance provides liability insurance for an automobile that the lead agency uses in connection with the lead agency's business but does not own, lease, rent, or borrow. This coverage includes an automobile owned by an employee of the lead agency or a member of the employee's household but only while the automobile is used in connection with the lead agency's business. The nonowned automobile coverage for the lead agency applies as excess coverage over any other collectible insurance. The personal automobile policy for the employee of the lead agency shall be primary insurance, and the nonowned automobile coverage of the lead agency acts as excess insurance to the primary insurance. The lead agency shall provide a minimum limit of \$1 million in nonowned automobile coverage. In a tort action brought against such a lead agency or employee, net economic damages shall be limited to \$2 million per liability claim and \$200,000 per automobile claim, including, but not limited to, past and future medical expenses, wage loss, and loss of earning capacity, offset by any collateral source payment paid or payable. In any tort action brought against a lead agency, noneconomic damages shall be limited to \$400,000 per claim. A claims bill may be brought on behalf of a claimant pursuant to s. 768.28 for any amount exceeding the limits specified in this paragraph. Any offset of collateral source payments made as of the date of the settlement or judgment shall be in accordance with s. 768.76. The lead agency is not liable in tort for the acts or omissions of its subcontractors or the officers, agents, or employees of its subcontractors.

(3) SUBCONTRACTOR LIABILITY.—

(a) A subcontractor of an eligible community-based care lead agency that is a direct provider of foster care and related services to children and families, and its employees or officers, except as otherwise provided in paragraph (c), must, as a part of its contract, obtain a minimum of \$1 million per occurrence with a policy period aggregate limit of \$3 million in general liability insurance coverage. The subcontractor of a lead agency must also require that staff who transport client children and families in their personal automobiles in order to carry out their job responsibilities obtain minimum bodily injury liability insurance in the amount of \$100,000 per person in any one automobile accident, and subject to such limits for each person, \$300,000 for all damages resulting from any one automobile accident, on their personal automobiles. In lieu of personal motor vehicle insurance, the subcontractor's casualty, liability, or motor vehicle insurance carrier may provide nonowned automobile liability coverage. This insurance provides liability insurance for automobiles that the subcontractor uses in connection with the subcontractor's business but does not own, lease, rent, or borrow. This coverage includes automobiles owned by the employees of the subcontractor or a member of the employee's household but only while the automobiles are used in connection with the subcontractor's business. The nonowned automobile coverage for the subcontractor applies as excess coverage over any other collectible insurance. The personal automobile policy for the employee of the subcontractor shall be primary insurance, and the nonowned automobile coverage of the subcontractor acts as excess insurance to the primary insurance. The

subcontractor shall provide a minimum limit of \$1 million in nonowned automobile coverage. In a tort action brought against such subcontractor or employee, net economic damages shall be limited to \$2 million per liability claim and \$200,000 per automobile claim, including, but not limited to, past and future medical expenses, wage loss, and loss of earning capacity, offset by any collateral source payment paid or payable. In a tort action brought against such subcontractor, noneconomic damages shall be limited to \$400,000 per claim. A claims bill may be brought on behalf of a claimant pursuant to s. 768.28 for any amount exceeding the limits specified in this paragraph. Any offset of collateral source payments made as of the date of the settlement or judgment shall be in accordance with s. 768.76.

Section 35. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (8) of section 420.504, Florida Statutes, is reenacted to read:

420.504 Public corporation; creation, membership, terms, expenses.—

(8) The corporation is a corporation primarily acting as an instrumentality of the state, within the meaning of s. 768.28.

Section 36. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (3) of section 455.221, Florida Statutes, is reenacted to read:

455.221 Legal and investigative services.—

(3) Any person retained by the department under contract to review materials, make site visits, or provide expert testimony regarding any complaint or application filed with the department relating to a profession under the jurisdiction of the department shall be considered an agent of the department in determining the state insurance coverage and sovereign immunity protection applicability of ss. 284.31 and 768.28.

Section 37. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (5) of section 455.32, Florida Statutes, is reenacted to read:

455.32 Management Privatization Act.—

(5) Any such corporation may hire staff as necessary to carry out its functions. Such staff are not public employees for the purposes of chapter 110 or chapter 112, except that the board of directors and the employees of the corporation are subject to the provisions of s. 112.061 and part III of chapter 112. The provisions of s. 768.28 apply to each such corporation, which is deemed to be a corporation primarily acting as an instrumentality of the state but which is not an agency within the meaning of s. 20.03(1).

Section 38. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (3) of section 456.009, Florida Statutes, is reenacted to read:

456.009 Legal and investigative services.—

(3) Any person retained by the department under contract to review materials, make site visits, or provide expert testimony regarding any complaint or application filed with the department relating to a profession under the jurisdiction of the department shall be considered an agent of the department in determining the state insurance coverage and sovereign immunity protection applicability of ss. 284.31 and 768.28.

Section 39. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, paragraph (a) of subsection (15) of section 456.076, Florida Statutes, is reenacted to read:

456.076 Impaired practitioner programs.—

(15)(a) A consultant retained pursuant to this section and a consultant's directors, officers, employees, or agents shall be considered agents of the department for purposes of s. 768.28 while acting within the scope of the consultant's duties under the contract with the department.

Section 40. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (3) of section 471.038, Florida Statutes, is reenacted to read:

471.038 Florida Engineers Management Corporation.—

(3) The Florida Engineers Management Corporation is created to provide administrative, investigative, and prosecutorial services to the board in accordance with the provisions of chapter 455 and this chapter. The management corporation may hire staff as necessary to carry out its functions. Such staff are not public employees for the purposes of chapter 110 or chapter 112, except that the board of directors and the staff are subject to the provisions of s. 112.061. The provisions of s. 768.28 apply to the management corporation, which is deemed to be a corporation primarily acting as an instrumentality of the state, but which is not an agency within the meaning of s. 20.03(1). The management corporation shall:

(a) Be a Florida corporation not for profit, incorporated under the provisions of chapter 617.

(b) Provide administrative, investigative, and prosecutorial services to the board in accordance with the provisions of chapter 455, this chapter, and the contract required by this section.

(c) Receive, hold, and administer property and make only prudent expenditures directly related to the responsibilities of the board, and in accordance with the contract required by this section.

(d) Be approved by the board, and the department, to operate for the benefit of the board and in the best interest of the state.

(e) Operate under a fiscal year that begins on July 1 of each year and ends on June 30 of the following year.

(f) Have a seven-member board of directors, five of whom are to be appointed by the board and must be registrants regulated by the board and two of whom are to be appointed by the secretary and must be laypersons not regulated by the board. All appointments shall be for 4-year terms. No member shall serve more than two consecutive terms. Failure to attend three consecutive meetings shall be deemed a resignation from the board, and the vacancy shall be filled by a new appointment.

(g) Select its officers in accordance with its bylaws. The members of the board of directors who were appointed by the board may be removed by the board.

(h) Select the president of the management corporation, who shall also serve as executive director to the board, subject to approval of the board.

(i) Use a portion of the interest derived from the management corporation account to offset the costs associated with the use of credit cards for payment of fees by applicants or licensees.

(j) Operate under a written contract with the department which is approved by the board. The contract must provide for, but is not limited to:

1. Submission by the management corporation of an annual budget that complies with board rules for approval by the board and the department.

2. Annual certification by the board and the department that the management corporation is complying with the terms of the contract in a manner consistent with the goals and purposes of the board and in the best interest of the state. This certification must be reported in the board's minutes. The contract must also provide for methods and mechanisms to resolve any situation in which the certification process determines noncompliance.

3. Funding of the management corporation through appropriations allocated to the regulation of professional engineers from the Professional Regulation Trust Fund.

4. The reversion to the board, or the state if the board ceases to exist, of moneys, records, data, and property held in trust by the management corporation for the benefit of the board, if the management

corporation is no longer approved to operate for the board or the board ceases to exist. All records and data in a computerized database shall be returned to the department in a form that is compatible with the computerized database of the department.

5. The securing and maintaining by the management corporation, during the term of the contract and for all acts performed during the term of the contract, of all liability insurance coverages in an amount to be approved by the board to defend, indemnify, and hold harmless the management corporation and its officers and employees, the department and its employees, and the state against all claims arising from state and federal laws. Such insurance coverage must be with insurers qualified and doing business in the state. The management corporation must provide proof of insurance to the department. The department and its employees and the state are exempt from and are not liable for any sum of money which represents a deductible, which sums shall be the sole responsibility of the management corporation. Violation of this subparagraph shall be grounds for terminating the contract.

6. Payment by the management corporation, out of its allocated budget, to the department of all costs of representation by the board counsel, including salary and benefits, travel, and any other compensation traditionally paid by the department to other board counsel.

7. Payment by the management corporation, out of its allocated budget, to the department of all costs incurred by the management corporation or the board for the Division of Administrative Hearings of the Department of Management Services and any other cost for utilization of these state services.

8. Payment by the management corporation, out of its allocated budget, to the department of reasonable costs associated with the contract monitor.

(k) Provide for an annual financial audit of its financial accounts and records by an independent certified public accountant. The annual audit report shall include a management letter in accordance with s. 11.45 and a detailed supplemental schedule of expenditures for each expenditure category. The annual audit report must be submitted to the board, the department, and the Auditor General for review.

(l) Provide for persons not employed by the corporation who are charged with the responsibility of receiving and depositing fee and fine revenues to have a faithful performance bond in such an amount and according to such terms as shall be determined in the contract.

(m) Submit to the secretary, the board, and the Legislature, on or before October 1 of each year, a report on the status of the corporation which includes, but is not limited to, information concerning the programs and funds that have been transferred to the corporation. The report must include: the number of license applications received; the number approved and denied and the number of licenses issued; the number of examinations administered and the number of applicants who passed or failed the examination; the number of complaints received; the number determined to be legally sufficient; the number dismissed; the number determined to have probable cause; the number of administrative complaints issued and the status of the complaints; and the number and nature of disciplinary actions taken by the board.

(n) Develop and submit to the department, performance standards and measurable outcomes for the board to adopt by rule in order to facilitate efficient and cost-effective regulation.

Section 41. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, paragraph (b) of subsection (11) of section 472.006, Florida Statutes, is reenacted to read:

472.006 Department; powers and duties.—The department shall:

(11) Provide legal counsel for the board by contracting with the Department of Legal Affairs, by retaining private counsel pursuant to s. 287.059, or by providing department staff counsel. The board shall periodically review and evaluate the services provided by its board counsel. Fees and costs of such counsel shall be paid from the General Inspection Trust Fund, subject to ss. 215.37 and 472.011. All contracts for independent legal counsel must provide for periodic review and evaluation by the board and the department of services provided.

(b) Any person retained by the department under contract to review materials, make site visits, or provide expert testimony regarding any complaint or application filed with the department relating to the practice of surveying and mapping shall be considered an agent of the department in determining the state insurance coverage and sovereign immunity protection applicability of ss. 284.31 and 768.28.

Section 42. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (7) of section 497.167, Florida Statutes, is reenacted to read:

497.167 Administrative matters.—

(7) Any person retained by the department under contract to review materials, make site visits, or provide expert testimony regarding any complaint or application filed with the department, relating to regulation under this chapter, shall be considered an agent of the department in determining the state insurance coverage and sovereign immunity protection applicability of ss. 284.31 and 768.28.

Section 43. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (2) of section 513.118, Florida Statutes, is reenacted to read:

513.118 Conduct on premises; refusal of service.—

(2) The operator of a recreational vehicle park may request that a transient guest or visitor who violates subsection (1) leave the premises immediately. A person who refuses to leave the premises commits the offense of trespass as provided in s. 810.08, and the operator may call a law enforcement officer to have the person and his or her property removed under the supervision of the officer. A law enforcement officer is not liable for any claim involving the removal of the person or property from the recreational vehicle park under this section, except as provided in s. 768.28. If conditions do not allow for immediate removal of the person's property, he or she may arrange a reasonable time, not to exceed 48 hours, with the operator to come remove the property, accompanied by a law enforcement officer.

Section 44. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (1) of section 548.046, Florida Statutes, is reenacted to read:

548.046 Physician's attendance at match; examinations; cancellation of match.—

(1) The commission, or the commission representative, shall assign to each match at least one physician who shall observe the physical condition of the participants and advise the commissioner or commission representative in charge and the referee of the participants' conditions before, during, and after the match. The commission shall establish a schedule of fees for the physician's services. The physician's fee shall be paid by the promoter of the match attended by the physician. The physician shall be considered an agent of the commission in determining the state insurance coverage and sovereign immunity protection applicability of ss. 284.31 and 768.28.

Section 45. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (8) of section 556.106, Florida Statutes, is reenacted to read:

556.106 Liability of the member operator, excavator, and system.—

(8) Any liability of the state, its agencies, or its subdivisions which arises out of this chapter is subject to the provisions of s. 768.28.

Section 46. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, paragraph (e) of subsection (4) of section 589.19, Florida Statutes, is reenacted to read:

589.19 Creation of certain state forests; naming of certain state forests; Operation Outdoor Freedom Program.—

(4)

(e)1. A private landowner who provides land for designation and use as an Operation Outdoor Freedom Program hunting site shall have limited liability pursuant to s. 375.251.

2. A private landowner who consents to the designation and use of land as part of the Operation Outdoor Freedom Program without compensation shall be considered a volunteer, as defined in s. 110.501, and shall be covered by state liability protection pursuant to s. 768.28, including s. 768.28(9).

3. This subsection does not:

a. Relieve any person of liability that would otherwise exist for deliberate, willful, or malicious injury to persons or property.

b. Create or increase the liability of any person.

Section 47. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in references thereto, subsections (3) and (4) of section 627.7491, Florida Statutes, are reenacted to read:

627.7491 Official law enforcement vehicles; motor vehicle insurance requirements.—

(3) Any suit or action brought or maintained against an employing agency for damages arising out of tort pursuant to this section, including, without limitation, any claim arising upon account of an act causing loss of property, personal injury, or death, shall be subject to the limitations provided in s. 768.28(5).

(4) The requirements of this section may be met by any method authorized by s. 768.28(16).

Section 48. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, paragraph (c) of subsection (2) of section 723.0611, Florida Statutes, is reenacted to read:

723.0611 Florida Mobile Home Relocation Corporation.—

(2)

(c) The corporation shall, for purposes of s. 768.28, be considered an agency of the state. Agents or employees of the corporation, members of the board of directors of the corporation, or representatives of the Division of Florida Condominiums, Timeshares, and Mobile Homes shall be considered officers, employees, or agents of the state, and actions against them and the corporation shall be governed by s. 768.28.

Section 49. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (5) of section 760.11, Florida Statutes, is reenacted to read:

760.11 Administrative and civil remedies; construction.—

(5) In any civil action brought under this section, the court may issue an order prohibiting the discriminatory practice and providing affirmative relief from the effects of the practice, including back pay. The court may also award compensatory damages, including, but not limited to, damages for mental anguish, loss of dignity, and any other intangible injuries, and punitive damages. The provisions of ss. 768.72 and 768.73 do not apply to this section. The judgment for the total amount of punitive damages awarded under this section to an aggrieved person shall not exceed \$100,000. In any action or proceeding under this subsection, the court, in its discretion, may allow the prevailing party a reasonable attorney's fee as part of the costs. It is the intent of the Legislature that this provision for attorney's fees be interpreted in a manner consistent with federal case law involving a Title VII action. The right to trial by jury is preserved in any such private right of action in which the aggrieved person is seeking compensatory or punitive damages, and any party may demand a trial by jury. The commission's determination of reasonable cause is not admissible into evidence in any civil proceeding, including any hearing or trial, except to establish for the court the right to maintain the private right of action. A civil action brought under this section shall be commenced no later than 1 year after the date of determination of reasonable cause by the commission. The commencement of such action shall divest the commission of jurisdiction of the complaint, except that the commission may intervene in the civil action as a matter of right. Notwithstanding the above, the state and its agencies and subdivisions shall not be liable for punitive damages. The total amount of recovery against the state and its agen-

cies and subdivisions shall not exceed the limitation as set forth in s. 768.28(5).

Section 50. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (4) of section 766.1115, Florida Statutes, is reenacted to read:

766.1115 Health care providers; creation of agency relationship with governmental contractors.—

(4) CONTRACT REQUIREMENTS.—A health care provider that executes a contract with a governmental contractor to deliver health care services on or after April 17, 1992, as an agent of the governmental contractor is an agent for purposes of s. 768.28(9), while acting within the scope of duties under the contract, if the contract complies with the requirements of this section and regardless of whether the individual treated is later found to be ineligible. A health care provider shall continue to be an agent for purposes of s. 768.28(9) for 30 days after a determination of ineligibility to allow for treatment until the individual transitions to treatment by another health care provider. A health care provider under contract with the state may not be named as a defendant in any action arising out of medical care or treatment provided on or after April 17, 1992, under contracts entered into under this section. The contract must provide that:

(a) The right of dismissal or termination of any health care provider delivering services under the contract is retained by the governmental contractor.

(b) The governmental contractor has access to the patient records of any health care provider delivering services under the contract.

(c) Adverse incidents and information on treatment outcomes must be reported by any health care provider to the governmental contractor if the incidents and information pertain to a patient treated under the contract. The health care provider shall submit the reports required by s. 395.0197. If an incident involves a professional licensed by the Department of Health or a facility licensed by the Agency for Health Care Administration, the governmental contractor shall submit such incident reports to the appropriate department or agency, which shall review each incident and determine whether it involves conduct by the licensee that is subject to disciplinary action. All patient medical records and any identifying information contained in adverse incident reports and treatment outcomes which are obtained by governmental entities under this paragraph are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(d) Patient selection and initial referral must be made by the governmental contractor or the provider. Patients may not be transferred to the provider based on a violation of the antidumping provisions of the Omnibus Budget Reconciliation Act of 1989, the Omnibus Budget Reconciliation Act of 1990, or chapter 395.

(e) If emergency care is required, the patient need not be referred before receiving treatment, but must be referred within 48 hours after treatment is commenced or within 48 hours after the patient has the mental capacity to consent to treatment, whichever occurs later.

(f) The provider is subject to supervision and regular inspection by the governmental contractor.

(g) As an agent of the governmental contractor for purposes of s. 768.28(9), while acting within the scope of duties under the contract, a health care provider licensed under chapter 466 may allow a patient, or a parent or guardian of the patient, to voluntarily contribute a monetary amount to cover costs of dental laboratory work related to the services provided to the patient. This contribution may not exceed the actual cost of the dental laboratory charges.

A governmental contractor that is also a health care provider is not required to enter into a contract under this section with respect to the health care services delivered by its employees.

Section 51. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (2) of section 766.112, Florida Statutes, is reenacted to read:

766.112 Comparative fault.—

(2) In an action for damages for personal injury or wrongful death arising out of medical negligence, whether in contract or tort, when an apportionment of damages pursuant to s. 768.81 is attributed to a board of trustees of a state university, the court shall enter judgment against the board of trustees on the basis of the board's percentage of fault and not on the basis of the doctrine of joint and several liability. The sole remedy available to a claimant to collect a judgment or settlement against a board of trustees, subject to the provisions of this subsection, shall be pursuant to s. 768.28.

Section 52. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (3) of section 768.1355, Florida Statutes, is reenacted to read:

768.1355 Florida Volunteer Protection Act.—

(3) Members of elected or appointed boards, councils, and commissions of the state, counties, municipalities, authorities, and special districts shall incur no civil liability and shall have immunity from suit as provided in s. 768.28 for acts or omissions by members relating to members' conduct of their official duties. It is the intent of the Legislature to encourage our best and brightest people to serve on elected and appointed boards, councils, and commissions.

Section 53. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (7) of section 768.1382, Florida Statutes, is reenacted to read:

768.1382 Streetlights, security lights, and other similar illumination; limitation on liability.—

(7) In the event that there is any conflict between this section and s. 768.81, or any other section of the Florida Statutes, this section shall control. Further, nothing in this section shall impact or waive any provision of s. 768.28.

Section 54. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (4) of section 768.295, Florida Statutes, is reenacted to read:

768.295 Strategic Lawsuits Against Public Participation (SLAPP) prohibited.—

(4) A person or entity sued by a governmental entity or another person in violation of this section has a right to an expeditious resolution of a claim that the suit is in violation of this section. A person or entity may move the court for an order dismissing the action or granting final judgment in favor of that person or entity. The person or entity may file a motion for summary judgment, together with supplemental affidavits, seeking a determination that the claimant's or governmental entity's lawsuit has been brought in violation of this section. The claimant or governmental entity shall thereafter file a response and any supplemental affidavits. As soon as practicable, the court shall set a hearing on the motion, which shall be held at the earliest possible time after the filing of the claimant's or governmental entity's response. The court may award, subject to the limitations in s. 768.28, the party sued by a governmental entity actual damages arising from a governmental entity's violation of this section. The court shall award the prevailing party reasonable attorney fees and costs incurred in connection with a claim that an action was filed in violation of this section.

Section 55. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, section 946.5026, Florida Statutes, is reenacted to read:

946.5026 Sovereign immunity in tort actions.—The provisions of s. 768.28 shall be applicable to the corporation established under this part, which is deemed to be a corporation primarily acting as an instrumentality of the state.

Section 56. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (3) of section 946.514, Florida Statutes, is reenacted to read:

946.514 Civil rights of inmates; inmates not state employees; liability of corporation for inmate injuries.—

(3) The corporation is liable for inmate injury to the extent specified in s. 768.28; however, the members of the board of directors are not

individually liable to any inmate for any injury sustained in any correctional work program operated by the corporation.

Section 57. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (8) of section 961.06, Florida Statutes, is reenacted to read:

961.06 Compensation for wrongful incarceration.—

(8) Any payment made under this act does not constitute a waiver of any defense of sovereign immunity or an increase in the limits of liability on behalf of the state or any person subject to s. 768.28 or any other law.

Section 58. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (3) of section 984.09, Florida Statutes, is reenacted to read:

984.09 Punishment for contempt of court; alternative sanctions.—

(3) ALTERNATIVE SANCTIONS.—Upon determining that a child has committed direct contempt of court or indirect contempt of a valid court order, the court may immediately request the circuit alternative sanctions coordinator to recommend the most appropriate available alternative sanction and shall order the child to perform up to 50 hours of community service or a similar alternative sanction, unless an alternative sanction is unavailable or inappropriate, or unless the child has failed to comply with a prior alternative sanction. Alternative contempt sanctions may be provided by local industry or by any non-profit organization or any public or private business or service entity that has entered into a contract with the department to act as an agent of the state to provide voluntary supervision of children on behalf of the state in exchange for the labor of children and limited immunity in accordance with s. 768.28(11).

Section 59. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, paragraph (h) of subsection (12) of section 1002.33, Florida Statutes, is reenacted to read:

1002.33 Charter schools.—

(12) EMPLOYEES OF CHARTER SCHOOLS.—

(h) For the purposes of tort liability, the charter school, including its governing body and employees, shall be governed by s. 768.28. This paragraph does not include any for-profit entity contracted by the charter school or its governing body.

Section 60. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, paragraph (b) of subsection (6) of section 1002.333, Florida Statutes, is reenacted to read:

1002.333 Persistently low-performing schools.—

(6) STATUTORY AUTHORITY.—

(b) For the purposes of tort liability, the hope operator, the school of hope, and its employees or agents shall be governed by s. 768.28. The sponsor shall not be liable for civil damages under state law for the employment actions or personal injury, property damage, or death resulting from an act or omission of a hope operator, the school of hope, or its employees or agents. This paragraph does not include any for-profit entity contracted by the charter school or its governing body.

Section 61. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (17) of section 1002.34, Florida Statutes, is reenacted to read:

1002.34 Charter technical career centers.—

(17) IMMUNITY.—For the purposes of tort liability, the governing body and employees of a center are governed by s. 768.28.

Section 62. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (2) of section 1002.37, Florida Statutes, is reenacted to read:

1002.37 The Florida Virtual School.—

(2) The Florida Virtual School shall be governed by a board of trustees comprised of seven members appointed by the Governor to 4-year staggered terms. The board of trustees shall be a public agency entitled to sovereign immunity pursuant to s. 768.28, and board members shall be public officers who shall bear fiduciary responsibility for the Florida Virtual School. The board of trustees shall have the following powers and duties:

(a)1. The board of trustees shall meet at least 4 times each year, upon the call of the chair, or at the request of a majority of the membership.

2. The fiscal year for the Florida Virtual School shall be the state fiscal year as provided in s. 216.011(1)(q).

(b) The board of trustees shall be responsible for the Florida Virtual School's development of a state-of-the-art technology-based education delivery system that is cost-effective, educationally sound, marketable, and capable of sustaining a self-sufficient delivery system through the Florida Education Finance Program.

(c) The board of trustees shall aggressively seek avenues to generate revenue to support its future endeavors, and shall enter into agreements with distance learning providers. The board of trustees may acquire, enjoy, use, and dispose of patents, copyrights, and trademarks and any licenses and other rights or interests thereunder or therein. Ownership of all such patents, copyrights, trademarks, licenses, and rights or interests thereunder or therein shall vest in the state, with the board of trustees having full right of use and full right to retain the revenues derived therefrom. Any funds realized from patents, copyrights, trademarks, or licenses shall be considered internal funds as provided in s. 1011.07. Such funds shall be used to support the school's marketing and research and development activities in order to improve courseware and services to its students.

(d) The board of trustees shall be responsible for the administration and control of all local school funds derived from all activities or sources and shall prescribe the principles and procedures to be followed in administering these funds.

(e) The Florida Virtual School may accrue supplemental revenue from supplemental support organizations, which include, but are not limited to, alumni associations, foundations, parent-teacher associations, and booster associations. The governing body of each supplemental support organization shall recommend the expenditure of moneys collected by the organization for the benefit of the school. Such expenditures shall be contingent upon the review of the executive director. The executive director may override any proposed expenditure of the organization that would violate Florida law or breach sound educational management.

(f) In accordance with law and rules of the State Board of Education, the board of trustees shall administer and maintain personnel programs for all employees of the board of trustees and the Florida Virtual School. The board of trustees may adopt rules, policies, and procedures related to the appointment, employment, and removal of personnel.

1. The board of trustees shall determine the compensation, including salaries and fringe benefits, and other conditions of employment for such personnel.

2. The board of trustees may establish and maintain a personnel loan or exchange program by which persons employed by the board of trustees for the Florida Virtual School as academic administrative and instructional staff may be loaned to, or exchanged with persons employed in like capacities by, public agencies either within or without this state, or by private industry. With respect to public agency employees, the program authorized by this subparagraph shall be consistent with the requirements of part II of chapter 112. The salary and benefits of board of trustees personnel participating in the loan or exchange program shall be continued during the period of time they participate in a loan or exchange program, and such personnel shall be deemed to have no break in creditable or continuous service or employment during such time. The salary and benefits of persons participating in the personnel loan or exchange program who are employed by public agencies or private industry shall be paid by the originating employers of those

participants, and such personnel shall be deemed to have no break in creditable or continuous service or employment during such time.

3. The employment of all Florida Virtual School academic administrative and instructional personnel shall be subject to rejection for cause by the board of trustees, and shall be subject to policies of the board of trustees relative to certification, tenure, leaves of absence, sabbaticals, remuneration, and such other conditions of employment as the board of trustees deems necessary and proper, not inconsistent with law.

4. Each person employed by the board of trustees in an academic administrative or instructional capacity with the Florida Virtual School shall be entitled to a contract as provided by rules of the board of trustees.

5. All employees except temporary, seasonal, and student employees may be state employees for the purpose of being eligible to participate in the Florida Retirement System and receive benefits. The classification and pay plan, including terminal leave and other benefits, and any amendments thereto, shall be subject to review and approval by the Department of Management Services and the Executive Office of the Governor prior to adoption.

(g) The board of trustees shall establish priorities for admission of students in accordance with paragraph (1)(b).

(h) The board of trustees shall establish and distribute to all school districts and high schools in the state procedures for enrollment of students in courses offered by the Florida Virtual School.

(i) The board of trustees shall establish criteria defining the elements of an approved franchise. The board of trustees may enter into franchise agreements with Florida district school boards and may establish the terms and conditions governing such agreements. The board of trustees shall establish the performance and accountability measures and report the performance of each school district franchise to the Commissioner of Education.

(j) The board of trustees shall submit to the State Board of Education both forecasted and actual enrollments and credit completions for the Florida Virtual School, according to procedures established by the State Board of Education. At a minimum, such procedures must include the number of public, private, and home education students served by program and by county of residence.

(k) The board of trustees shall provide for the content and custody of student and employee personnel records. Student records shall be subject to the provisions of s. 1002.22. Employee records shall be subject to the provisions of s. 1012.31.

(l) The financial records and accounts of the Florida Virtual School shall be maintained under the direction of the board of trustees and under rules adopted by the State Board of Education for the uniform system of financial records and accounts for the schools of the state.

The Governor shall designate the initial chair of the board of trustees to serve a term of 4 years. Members of the board of trustees shall serve without compensation, but may be reimbursed for per diem and travel expenses pursuant to s. 112.061. The board of trustees shall be a body corporate with all the powers of a body corporate and such authority as is needed for the proper operation and improvement of the Florida Virtual School. The board of trustees is specifically authorized to adopt rules, policies, and procedures, consistent with law and rules of the State Board of Education related to governance, personnel, budget and finance, administration, programs, curriculum and instruction, travel and purchasing, technology, students, contracts and grants, and property as necessary for optimal, efficient operation of the Florida Virtual School. Tangible personal property owned by the board of trustees shall be subject to the provisions of chapter 273.

Section 63. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, paragraph (1) of subsection (3) of section 1002.55, Florida Statutes, is reenacted to read:

1002.55 School-year prekindergarten program delivered by private prekindergarten providers.—

(3) To be eligible to deliver the prekindergarten program, a private prekindergarten provider must meet each of the following requirements:

(l) Notwithstanding paragraph (j), for a private prekindergarten provider that is a state agency or a subdivision thereof, as defined in s. 768.28(2), the provider must agree to notify the coalition of any additional liability coverage maintained by the provider in addition to that otherwise established under s. 768.28. The provider shall indemnify the coalition to the extent permitted by s. 768.28. Notwithstanding paragraph (j), for a child development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States Department of Defense, the provider may demonstrate liability coverage by affirming that it is subject to the Federal Tort Claims Act, 28 U.S.C. ss. 2671 et seq.

Section 64. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (10) of section 1002.83, Florida Statutes, is reenacted to read:

1002.83 Early learning coalitions.—

(10) For purposes of tort liability, each member or employee of an early learning coalition shall be governed by s. 768.28.

Section 65. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, paragraph (p) of subsection (1) of section 1002.88, Florida Statutes, is reenacted to read:

1002.88 School readiness program provider standards; eligibility to deliver the school readiness program.—

(1) To be eligible to deliver the school readiness program, a school readiness program provider must:

(p) Notwithstanding paragraph (m), for a provider that is a state agency or a subdivision thereof, as defined in s. 768.28(2), agree to notify the coalition of any additional liability coverage maintained by the provider in addition to that otherwise established under s. 768.28. The provider shall indemnify the coalition to the extent permitted by s. 768.28. Notwithstanding paragraph (m), for a child development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States Department of Defense, the provider may demonstrate liability coverage by affirming that it is subject to the Federal Tort Claims Act, 28 U.S.C. ss. 2671 et seq.

Section 66. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, subsection (1) of section 1006.24, Florida Statutes, is reenacted to read:

1006.24 Tort liability; liability insurance.—

(1) Each district school board shall be liable for tort claims arising out of any incident or occurrence involving a school bus or other motor vehicle owned, maintained, operated, or used by the district school board to transport persons, to the same extent and in the same manner as the state or any of its agencies or subdivisions is liable for tort claims under s. 768.28, except that the total liability to persons being transported for all claims or judgments of such persons arising out of the same incident or occurrence shall not exceed an amount equal to \$5,000 multiplied by the rated seating capacity of the school bus or other vehicle, as determined by rules of the State Board of Education, or \$100,000, whichever is greater. The provisions of s. 768.28 apply to all claims or actions brought against district school boards, as authorized in this subsection.

Section 67. For the purpose of incorporating the amendment made by this act to section 768.28, Florida Statutes, in a reference thereto, paragraph (b) of subsection (2) of section 1006.261, Florida Statutes, is reenacted to read:

1006.261 Use of school buses for public purposes.—

(2)

(b) For purposes of liability for negligence, state agencies or subdivisions as defined in s. 768.28(2) shall be covered by s. 768.28. Every

other corporation or organization shall provide liability insurance coverage in the minimum amounts of \$100,000 on any claim or judgment and \$200,000 on all claims and judgments arising from the same incident or occurrence.

Section 68. This act shall take effect October 1, 2026.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to claims against the government; amending s. 768.28, F.S.; increasing the statutory limits on the liability of the state and its agencies and subdivisions for tort claims; revising exceptions relating to instituting actions on tort claims against the state or one of its agencies or subdivisions; revising the period after which the failure of certain entities to make a final disposition of a claim shall be deemed a final denial of the claim for certain purposes; revising the statute of limitations for tort claims against the state or one of its agencies or subdivisions and exceptions thereto; deleting obsolete language; making technical changes; providing applicability; amending ss. 29.0081, 39.8297, 343.811, and 944.713, F.S.; conforming cross references; conforming provisions to changes made by the act; reenacting ss. 45.061(5), 95.11(6)(f), 110.504(4), 111.071(1)(a), 125.01015(2)(b), 163.01(3)(h) and (15)(k), 190.043, 213.015(13), 252.51, 252.89, 252.944, 260.0125(2), 284.31, 284.38, 322.13(1)(b), 337.19(1), 341.302(17), 343.811(3), 351.03(4)(c), 373.1395(6), 375.251(3)(a), 381.0056(9), 393.075(3), 394.9085(7), 395.1055(10)(g), 403.706(17)(c), 409.175(15)(b), 409.993(1), (2)(a), and (3)(a), 420.504(8), 455.221(3), 455.32(5), 456.009(3), 456.076(15)(a), 471.038(3), 472.006(11)(b), 497.167(7), 513.118(2), 548.046(1), 556.106(8), 589.19(4)(e), 627.7491(3) and (4), 723.0611(2)(c), 760.11(5), 766.1115(4), 766.112(2), 768.1355(3), 768.1382(7), 768.295(4), 946.5026, 946.514(3), 961.06(8), 984.09(3), 1002.33(12)(h), 1002.333(6)(b), 1002.34(17), 1002.37(2), 1002.55(3)(l), 1002.83(10), 1002.88(1)(p), 1006.24(1), and 1006.261(2)(b), F.S., relating to offers of settlement; limitations other than for the recovery of real property; volunteer benefits; payment of judgments or settlements against certain public officers or employees; office of the sheriff; the Florida Interlocal Cooperation Act of 1969; suits against community development districts; taxpayer rights; liability; tort liability; tort liability; limitation on liability of private landowners whose property is designated as part of the statewide system of greenways and trails; scope and types of coverages; effect of waiver of sovereign immunity; driver license examiners; suits by and against the Department of Transportation; rail program; power to assume indemnification and insurance obligations; railroad-highway grade-crossing warning signs and signals; limitation on liability of a water management district with respect to areas made available to the public for recreational purposes without charge; limitation on liability of persons making available to the public certain areas for recreational purposes without charge; school health services program; general liability coverage; behavioral provider liability; rules and enforcement; local government solid waste responsibilities; licensure of family foster homes, residential child-caring agencies, and child-placing agencies; lead agencies and subcontractor liability; the Florida Housing Finance Corporation; legal and investigative services; the Management Privatization Act; legal and investigative services; impaired practitioner programs; the Florida Engineers Management Corporation; the Department of Agriculture and Consumer Services; administrative matters; conduct on premises and refusal of service; physician's attendance at match; liability of the member operator, excavator, and system; creation of certain state forests, naming of certain state forests, and the Operation Outdoor Freedom Program; official law enforcement vehicles and motor vehicle insurance requirements; the Florida Mobile Home Relocation Corporation; administrative and civil remedies and construction; health care providers and creation of agency relationship with governmental contractors; comparative fault; the Florida Volunteer Protection Act; streetlights, security lights, and other similar illumination and limitation on liability; Strategic Lawsuits Against Public Participation (SLAPP) prohibited; sovereign immunity in tort actions; liability of corporation for inmate injuries; compensation for wrongful incarceration; punishment for contempt of court and alternative sanctions; charter schools; persistently low-performing schools; charter technical career centers; the Florida Virtual School; school-year prekindergarten program delivered by private prekindergarten providers; early learning coalitions; school readiness program provider standards and eligibility to deliver the school readiness program; tort liability and liability insurance; and use of school buses for public purposes, respectively, to incorporate changes made to s. 768.28, F.S., in references thereto; providing an effective date.

On motion by Senator Brodeur, by two-thirds vote, **HB 145**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Davis	Osgood
Arrington	DiCeglie	Passidomo
Avila	Gaetz	Polsky
Berman	Garcia	Rodriguez
Bernard	Grall	Rouson
Boyd	Gruters	Sharief
Bracy Davis	Harrell	Simon
Bradley	Hooper	Smith
Brodeur	Jones	Truenow
Burgess	Leek	Trumbull
Burton	Massullo	Wright
Calatayud	Mayfield	Yarborough

Nays—None

Vote after roll call:

Yea—Martin, McClain

CS for CS for SB 1760—A bill to be entitled An act relating to health care coverage; amending s. 1.01, F.S.; defining the term “Joint Legislative Committee on Medicaid Oversight”; creating s. 11.405, F.S.; establishing the Joint Legislative Committee on Medicaid Oversight for specified purposes; providing for membership, subcommittees, and meetings of the committee; specifying duties of the committee; authorizing the committee to submit periodic reports to the Legislature; requiring the Auditor General and the Agency for Health Care Administration to enter into and maintain a data sharing agreement for a certain purpose by a specified date; requiring the Auditor General to assist the committee by providing certain staff or consulting services; requiring state agencies, political subdivisions of the state, and entities contracted with state agencies to give the committee access to certain records, papers, and documents; authorizing the committee to compel testimony and evidence according to specified provisions; providing for additional powers of the committee; providing that certain joint rules of the Legislature apply to the proceedings of the committee; requiring the agency to notify the committee of certain changes and provide a report containing specified information to the committee; requiring the agency to submit a copy of certain reports to the committee; amending s. 409.962, F.S.; defining terms; amending s. 409.967, F.S.; revising encounter data reporting requirements for prepaid Medicaid plans; requiring that the agency’s analysis of such encounter data include identification of specified occurrences; requiring the agency to use such analysis in setting managed care plan capitation rates; requiring that managed care plan contracts require any third-party administrative entity contracted with the plan to adhere to specified requirements; specifying additional types of payments which may not be included in calculating income for purposes of the achieved savings rebate; requiring, rather than authorizing, the agency to calculate the medical loss ratio for all managed care plans under certain circumstances; revising requirements for the calculation of medical loss ratios; requiring the agency to report medical loss ratios quarterly and annually for each managed care plan to the Governor and the Legislature within a specified timeframe; requiring the agency to ensure oversight of affiliated entities and related parties paid by managed care plans; requiring the agency to examine specified records and data related to such entities and parties; requiring the agency to consider certain data and findings when developing managed care plan capitation rates; revising the income sharing ratios used to calculate the achieved savings rebate beginning on a specified date; creating s. 409.9675, F.S.; requiring managed care plans to report to the agency and the Office of Insurance Regulation the existence of and specified details relating to certain affiliations by a specified date and annually thereafter; requiring managed care plans to report any change in such information to the agency and the office in writing within a specified timeframe; requiring the agency to calculate, analyze, and publicly report on the agency’s website an assessment of affiliated entity payment transactions in the Medicaid program and certain administrative costs by a specified date and annually thereafter; providing requirements for the assessment; amend-

ing s. 626.8825, F.S.; defining the term “affiliated manufacturer”; revising the definition of the term “pharmacy benefits plan or program”; revising requirements for contracts between a pharmacy benefit manager and a participating pharmacy; revising the frequency of and deadlines for certain reports pharmacy benefit managers are required to submit to the office beginning on a specified date; amending s. 626.8827, F.S.; revising and specifying additional practices pharmacy benefit managers are prohibited from engaging in; amending s. 627.42392, F.S.; conforming a cross-reference; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1760**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 697** was withdrawn from the Committee on Rules.

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

CS for HB 697—A bill to be entitled An act relating to drug prices and coverage; amending s. 626.8825, F.S.; revising the definition of the term “pharmacy benefits plan or program” to exclude a plan or program that exclusively serves a PACE organization; requiring contracts between pharmacy benefit managers and participating pharmacies to allow a specified option in the administrative appeal procedure; amending s. 626.8827, F.S.; providing pharmacy benefit manager prohibited practices relating to pharmacies and pharmacists; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1760** and read the second time by title.

Senator Brodeur moved the following amendment which was adopted:

Amendment 1 (664532) (with title amendment)—Delete line 106 and insert:

Section 3. *For the 2025-2026 fiscal year, the nonrecurring sum of \$30,901,933 from the Grants and Donations Trust Fund is appropriated to the Department of Health for implementation of the Ryan White Part B AIDS Drug Assistance Program (ADAP) through June 30, 2026.*

(1) *For purposes of ADAP eligibility through June 30, 2026, the term “low income” means an adjusted gross household income at or below 400 percent of the federal poverty level.*

(2) *Through June 30, 2026, ADAP services may not be provided through or by the purchase of health insurance that includes coverage for HIV/AIDS medications but must be provided through the distribution of medications directly to eligible individuals. The HIV/AIDS medications directly dispensed under ADAP must include all medications listed on the Florida AIDS Drug Assistance Program (ADAP) Formulary as that formulary existed on March 1, 2026. The Department of Health shall distribute such medications to low income individuals who have met the department’s eligibility requirements. The department shall ensure the availability of a clinically appropriate medication for individuals with a creatinine clearance of less than 60 milliliters per minute and may, as necessary to implement this section within appropriated funds, provide such medications only to those individuals.*

(3) *The Florida AIDS Drug Assistance Program (ADAP) Self-Insured Formulary as that formulary existed on March 1, 2026, shall remain in effect through at least June 30, 2026.*

(4) *Beginning April 1, 2026, the Department of Health shall submit monthly reports providing a detailed accounting of ADAP to the Governor’s Office of Policy and Budget, the chair of the Senate Committee on Appropriations, and the chair of the House of Representatives Budget Committee.*

(a) *The reports must include, at a minimum, all of the following:*

- All state and federal revenues and expenditures;*
- All manufacturer rebates and other pharmaceutical offsets received or accrued;*
- The total number of individuals participating in the program;*

4. Participant counts by county of residence or administering organization, as applicable;

5. Participants' insurance statuses;

6. The number and type of prescriptions filled, including utilization by drug class; and

7. Any other information necessary to provide transparency with regard to program operations, utilization trends, cost drivers, and fiscal sustainability.

(b) The department shall also include in its reports month-over-month and year-to-date trend analyses and identify any projected funding shortfalls, enrollment pressures, or operational risks anticipated within the current fiscal year.

(c) Reports must be submitted in a consistent format to allow comparison across reporting periods.

(5) The Department of Health shall adopt emergency rules to implement ADAP in accordance with this section. Emergency rules adopted under this section are exempt from s. 120.54(4)(c), Florida Statutes, and shall remain in effect through June 30, 2026.

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

Section 4. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2026.

And the title is amended as follows:

Delete lines 11-12 and insert: to pharmacies and pharmacists; providing an appropriation for implementation of the Ryan White Part B AIDS Drug Assistance Program (ADAP) through a specified date; defining the term "low income" for purposes of ADAP eligibility through a specified date; providing requirements for the implementation of ADAP through a specified date; requiring the Department of Health to submit monthly reports providing a detailed accounting of ADAP to the Governor's Office of Policy and Budget and the chairs of the legislative appropriations committees; specifying requirements for the reports; requiring the department to adopt emergency rules to implement ADAP; providing that such emergency rules are exempt from specified rulemaking requirements and remain in effect through a specified date; providing effective dates.

On motion by Senator Brodeur, by two-thirds vote, CS for HB 697, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	DiCeglie	Osgood
Arrington	Gaetz	Passidomo
Avila	Garcia	Polsky
Berman	Grall	Rodriguez
Bernard	Gruters	Rouson
Boyd	Harrell	Sharief
Bracy Davis	Hooper	Simon
Bradley	Jones	Smith
Brodeur	Leek	Truenow
Burgess	Martin	Trumbull
Burton	Massullo	Wright
Calatayud	Mayfield	Yarborough
Davis	McClain	

Nays—None

CS for CS for SB 536—A bill to be entitled An act relating to criteria for determining criminal gang membership; amending s. 874.03, F.S.; revising the definition of the term "criminal gang member"; defining the term "gang-related language"; reenacting ss. 823.05(2)(a), 921.141(6)(n), and 951.23(11), F.S., all relating to the definition of the term "criminal gang member," to incorporate the amendment made to s. 874.03, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of CS for CS for SB 536, pursuant to Rule 3.11(3), there being no objection, CS for HB 429 was withdrawn from the Committee on Rules.

On motion by Senator Martin—

CS for HB 429—A bill to be entitled An act relating to criteria for determining criminal gang membership; amending s. 874.03, F.S.; revising the definition of the term "criminal gang member"; defining the term "gang-related language"; reenacting ss. 823.05(2)(a), 921.141(6)(n), and 951.23(11), F.S., all relating to the definition of the term "criminal gang member", to incorporate the amendment made to s. 874.03, F.S., in references thereto; providing an effective date.

—a companion measure, was substituted for CS for CS for SB 536 and read the second time by title.

On motion by Senator Martin, by two-thirds vote, CS for HB 429 was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—29

Mr. President	Gaetz	Mayfield
Arrington	Garcia	McClain
Avila	Grall	Passidomo
Boyd	Gruters	Rodriguez
Bradley	Harrell	Simon
Brodeur	Hooper	Truenow
Burgess	Jones	Trumbull
Burton	Leek	Wright
Calatayud	Martin	Yarborough
DiCeglie	Massullo	

Nays—9

Berman	Davis	Rouson
Bernard	Osgood	Sharief
Bracy Davis	Polsky	Smith

Consideration of CS for CS for SB 896 was deferred.

CS for SB 934—A bill to be entitled An act relating to areas of critical state concern; amending s. 255.05, F.S.; providing an exemption from specified payment and performance bond requirements for specified entities under specified conditions; amending s. 259.105, F.S.; extending the time period specific Florida Forever appropriations must be spent on land acquisition in the Florida Keys Area of Critical State Concern; providing an effective date.

—was read the second time by title.

Pending further consideration of CS for SB 934, pursuant to Rule 3.11(3), there being no objection, CS for HB 755 was withdrawn from the Committee on Rules.

On motion by Senator Rodriguez—

CS for HB 755—A bill to be entitled An act relating to areas of critical state concern; amending s. 255.05, F.S.; providing an exemption from specified payment and performance bond requirements for specified entities; amending s. 259.105, F.S.; extending specific Florida Forever appropriations to be used for the purchase of lands in the Florida Keys Area of Critical State Concern; providing an effective date.

—a companion measure, was substituted for CS for SB 934 and read the second time by title.

Senator Simon moved the following amendment which was adopted:

Amendment 1 (408242) (with title amendment)—Between lines 71 and 72 insert:

Section 3. Subsection (10) of section 377.24, Florida Statutes, is amended to read:

377.24 Notice of intention to drill well; permits; abandoned wells and dry holes.—

(10) Notwithstanding any law or rule to the contrary, the drilling, exploration, or production of oil, gas, or other petroleum products is prohibited in counties designated as rural areas of opportunity under s. 288.0656 if the proposed site is within 10 miles of a national estuarine research reserve. If such a county also contains an area of critical state concern, the drilling, exploration, or production of oil, gas, or other petroleum products is prohibited within 30 miles of a national estuarine research reserve.

And the title is amended as follows:

Delete line 8 and insert: Area of Critical State Concern; amending s. 377.24, F.S.; revising the criteria for a prohibition on drilling, exploration, or production of specified petroleum products; providing an effective

SENATOR BRODEUR PRESIDING

On motion by Senator Rodriguez, by two-thirds vote, CS for HB 755, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Table with 3 columns: Mr. President, DiCeglie, Osgood, Arrington, Gaetz, Passidomo, Avila, Garcia, Polsky, Berman, Grall, Rodriguez, Bernard, Gruters, Rouson, Boyd, Harrell, Sharief, Bracy Davis, Hooper, Simon, Bradley, Jones, Smith, Brodeur, Leek, Truenow, Burgess, Martin, Trumbull, Burton, Massullo, Wright, Calatayud, Mayfield, Yarborough, Davis, McClain

Nays—None

CS for SB 1192—A bill to be entitled An act relating to customer service callback queues; amending s. 23.30, F.S.; defining the term “callback queue”; establishing a pilot program to require the Department of Commerce to use a callback queue for returning certain calls; requiring that calls be returned in a specified manner; requiring the department to report specified information to the Legislature by a certain date; providing an effective date.

—was read the second time by title.

Pending further consideration of CS for SB 1192, pursuant to Rule 3.11(3), there being no objection, HB 1031 was withdrawn from the Committee on Rules.

On motion by Senator Polsky—

HB 1031—A bill to be entitled An act relating to customer service callback queues; amending s. 23.30, F.S.; defining the term “callback queue”; establishing a pilot program to require specified agencies to use a callback queue for returning certain calls; requiring calls to be returned in a specified manner; requiring pilot program participants to report specified information to the Legislature by a certain date; providing an effective date.

—a companion measure, was substituted for CS for SB 1192 and read the second time by title.

Senator Polsky moved the following amendment which was adopted:

Amendment 1 (460890) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Present subsections (5) through (8) of section 23.30, Florida Statutes, are redesignated as subsections (6) through (9), respectively, and a new subsection (5) is added to that section, to read:

23.30 Florida Customer Service Standards Act.—

(5) PILOT PROGRAM.—

(a) As used in this subsection, the term “callback queue” means a system that allows a caller to leave a telephone number at which he or she can be reached at a later time rather than receiving no answer to his or her call or remaining on hold.

(b) A pilot program is implemented to require a callback queue to be used by the Department of Commerce in returning calls from claimants concerning reemployment assistance.

(c) All calls must be returned, in the order in which they were received, by the end of the next business day.

(d) On or before December 31, 2027, the Department of Commerce must submit a report to the President of the Senate and the Speaker of the House of Representatives which includes information concerning the effectiveness of the pilot program, any suggested changes to the program, and a recommendation as to whether the program should be continued or expanded.

Section 2. This act shall take effect July 1, 2026.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to customer service callback queues; amending s. 23.30, F.S.; defining the term “callback queue”; establishing a pilot program to require the Department of Commerce to use a callback queue for returning certain calls; requiring that calls be returned in a specified manner and timeframe; requiring the department to report specified information to the Legislature by a certain date; providing an effective date.

On motion by Senator Polsky, by two-thirds vote, HB 1031, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Table with 3 columns: Mr. President, DiCeglie, Osgood, Arrington, Gaetz, Passidomo, Avila, Garcia, Polsky, Berman, Grall, Rodriguez, Bernard, Gruters, Rouson, Boyd, Harrell, Sharief, Bracy Davis, Hooper, Simon, Bradley, Jones, Smith, Brodeur, Leek, Truenow, Burgess, Martin, Trumbull, Burton, Massullo, Wright, Calatayud, Mayfield, Yarborough, Davis, McClain

Nays—None

CS for CS for SB 1266—A bill to be entitled An act relating to cybersecurity internships; creating s. 1004.0983, F.S.; providing legislative findings; requiring the Department of Commerce to create the Cybersecurity Experiential Learning Program in a specified fiscal year, subject to legislative appropriation; requiring the department use a certain percentage of appropriated funds in a specified fiscal year to enter into an agreement with Cyber Florida at the University of South Florida to collaborate in designing the program for implementation and plan for expansion of the program; requiring Cyber Florida to report specified information to the department; providing the department with authorized uses of unspent funds; requiring that disbursement of funds

is subject to department approval; requiring the department to submit an annual report by a specified date to the Governor and the Legislature; providing requirements for the report; providing for the expiration of the program; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1266**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 1081** was withdrawn from the Committee on Rules.

On motion by Senator Calatayud—

CS for CS for CS for HB 1081—A bill to be entitled An act relating to cybersecurity experiential learning; amending s. 1004.444, F.S.; requiring, subject to legislative appropriation, the Florida Center for Cybersecurity (Cyber Florida) to develop the Cybersecurity Experiential Learning Program; providing requirements for the program; providing reporting requirements for Cyber Florida related to participation in and improvement of the program; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1266** and read the second time by title.

On motion by Senator Calatayud, by two-thirds vote, **CS for CS for CS for HB 1081** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	DiCeglie	Osgood
Arrington	Gaetz	Passidomo
Avila	Garcia	Polsky
Berman	Grall	Rodriguez
Bernard	Gruters	Rouson
Boyd	Harrell	Sharief
Bracy Davis	Hooper	Simon
Bradley	Jones	Smith
Brodeur	Leek	Truenow
Burgess	Martin	Trumbull
Burton	Massullo	Wright
Calatayud	Mayfield	Yarborough
Davis	McClain	

Nays—None

CS for CS for CS for SB 1294—A bill to be entitled An act relating to biosolids management; amending s. 403.0855, F.S.; prohibiting the land application of bulk Class AA biosolids fertilizer and compost products from exceeding the appropriate agronomic rate; specifying requirements for the management of the land application of bulk Class AA biosolids fertilizer and biosolids compost products at or below the agronomic rate; defining the term “agronomic rate”; prohibiting the bulk land application of biosolids when such bulk application constitutes disposal; defining the term “disposal”; requiring the owner or operator of certain land application sites to maintain application records for a specified timeframe and make such records available to the Department of Environmental Protection upon request; specifying requirements for such records; specifying that the department must require that written notification of such recordkeeping requirements be provided to the owner or operator of such land at the time bulk Class AA biosolids are distributed for land application; providing that such recordkeeping requirements do not apply to certain biosolids; specifying requirements for the distribution of such biosolids; requiring the department to initiate rulemaking by a specified date; requiring the University of Florida Institute of Food and Agricultural Sciences, on a specified basis and beginning on a specified date, to publish and make publicly available recommended agronomic rates for the reuse of bulk Class AA biosolids fertilizer and compost products; specifying requirements for such recommendations; prohibiting Class AA biosolids fertilizer products and certain Class AA biosolids compost products from being marketed or distributed for agricultural land application unless specified requirements are met; prohibiting Class AA biosolids from being used for agricultural land application unless certain requirements are met; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 1294**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1245** was withdrawn from the Committee on Rules.

On motion by Senator Bradley—

CS for CS for HB 1245—A bill to be entitled An act relating to biosolids management; amending s. 403.0855, F.S.; prohibiting the land application of bulk Class AA biosolids fertilizer and compost products from exceeding the appropriate agronomic rate; specifying requirements for the management of the land application of bulk Class AA biosolids fertilizer and biosolids compost products at or below the agronomic rate; defining the term “agronomic rate”; prohibiting the bulk land application of biosolids when such bulk application constitutes disposal; defining the term “disposal”; requiring the owner or operator of certain land application sites to maintain application records for a specified timeframe and make such records available to the Department of Environmental Protection upon request; specifying requirements for such records; specifying that the department must require written notification of such recordkeeping requirements be provided to the owner or operator of such land at the time bulk Class AA biosolids are distributed for land application; providing that such recordkeeping requirements do not apply to certain biosolids; specifying requirements for the distribution of such biosolids; requiring the department to initiate rulemaking by a specified date; requiring the University of Florida Institute of Food and Agricultural Sciences, on a specified basis and beginning on a specified date, to publish and make publicly available recommended agronomic rates for the reuse of bulk Class AA biosolids fertilizer and compost products; specifying requirements for such recommendations; prohibiting Class AA biosolids fertilizer products and certain Class AA biosolids compost products from being marketed or distributed for agricultural land application unless specified requirements are met; prohibiting Class AA biosolids from being used for agricultural land application unless certain requirements are met; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 1294** and read the second time by title.

On motion by Senator Bradley, by two-thirds vote, **CS for CS for HB 1245** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	DiCeglie	Osgood
Arrington	Gaetz	Passidomo
Avila	Garcia	Polsky
Berman	Grall	Rodriguez
Bernard	Gruters	Rouson
Boyd	Harrell	Sharief
Bracy Davis	Hooper	Simon
Bradley	Jones	Smith
Brodeur	Leek	Truenow
Burgess	Martin	Trumbull
Burton	Massullo	Wright
Calatayud	Mayfield	Yarborough
Davis	McClain	

Nays—None

CS for CS for SB 1362—A bill to be entitled An act relating to vertiports; amending s. 255.065, F.S.; revising the definition of the term “qualifying project”; amending s. 332.007, F.S.; revising the definition of the term “airport infrastructure”; authorizing the Department of Transportation to fund up to specified percentages of public vertiport project costs; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1362**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 1093** was withdrawn from the Committee on Rules.

On motion by Senator Harrell—

CS for CS for CS for HB 1093—A bill to be entitled An act relating to vertiports; amending s. 255.065, F.S.; revising the definition of the term “qualifying project”; amending s. 332.007, F.S.; revising the definition of the term “airport infrastructure”; authorizing the Department of Transportation to fund up to specified percentages of public vertiport project costs; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1362** and read the second time by title.

On motion by Senator Harrell, by two-thirds vote, **CS for CS for CS for HB 1093** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	DiCeglie	Osgood
Arrington	Gaetz	Passidomo
Avila	Garcia	Polsky
Berman	Grall	Rodriguez
Bernard	Gruters	Rouson
Boyd	Harrell	Sharief
Bracy Davis	Hooper	Simon
Bradley	Jones	Smith
Brodeur	Leek	Truenow
Burgess	Martin	Trumbull
Burton	Massullo	Wright
Calatayud	Mayfield	Yarborough
Davis	McClain	

Nays—None

Consideration of **CS for CS for SB 7036** was deferred.

CS for SB 1376—A bill to be entitled An act relating to grants for genetic counseling education; creating s. 1009.8963, F.S.; creating the Genetic Counseling Education Enhancement Grant Program within the State University System; providing the purpose of the program; requiring the Board of Governors, subject to legislative appropriation, to award grant funds to state universities for specified purposes; requiring the program to reward excellence among genetic counseling programs based on specified criteria; providing authorized uses of grant funds; prohibiting such funds from being used for specified purposes; requiring state universities participating in the program to maintain specified records; requiring such state universities to submit an annual report; requiring the Board of Governors to submit an annual summary of such reports to the Governor and Legislature by a specified date; requiring the Board of Governors to adopt regulations; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1376**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1115** was withdrawn from the Committee on Appropriations.

On motion by Senator Burgess—

CS for HB 1115—A bill to be entitled An act relating to the grants for genetic counseling education; creating s. 1009.8963, F.S.; creating the Genetic Counseling Education Enhancement Grant Program within the State University System; providing the purpose of the program; subject to legislative appropriation, requiring the Board of Governors to award grant funds to state universities for specified purposes; requiring the program to reward excellence among genetic counseling programs based on specified criteria; providing authorized uses of grant funds; prohibiting such funds from being used for specified purposes; requiring state universities participating in the program to maintain specified records; requiring such state universities to submit an annual report; requiring the Board of Governors to submit an annual summary of such reports to the Governor and Legislature by a specified date; requiring the Board of Governors to adopt regulations; providing an effective date.

—a companion measure, was substituted for **CS for SB 1376** and read the second time by title.

On motion by Senator Burgess, by two-thirds vote, **CS for HB 1115** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	DiCeglie	Osgood
Arrington	Gaetz	Passidomo
Avila	Garcia	Polsky
Berman	Grall	Rodriguez
Bernard	Gruters	Rouson
Boyd	Harrell	Sharief
Bracy Davis	Hooper	Simon
Bradley	Jones	Smith
Brodeur	Leek	Truenow
Burgess	Martin	Trumbull
Burton	Massullo	Wright
Calatayud	Mayfield	Yarborough
Davis	McClain	

Nays—None

CS for CS for SB 1474—A bill to be entitled An act relating to biosolids management; amending s. 403.0855, F.S.; prohibiting the Department of Environmental Protection from issuing or renewing a permit for certain biosolids land application sites if there is a permitted wastewater treatment facility that accepts septage for higher levels of treatment and which meets specified requirements; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1474**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1285** was withdrawn from the Committee on Rules.

On motion by Senator Gaetz—

CS for CS for HB 1285—A bill to be entitled An act relating to biosolids management; amending s. 403.0855, F.S.; prohibiting the Department of Environmental Protection from issuing or renewing a permit for certain biosolids land application sites if there is a permitted wastewater treatment facility that accepts septage for higher levels of treatment and which meets specified requirements; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1474** and read the second time by title.

On motion by Senator Gaetz, by two-thirds vote, **CS for CS for HB 1285** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	DiCeglie	Osgood
Arrington	Gaetz	Passidomo
Avila	Garcia	Polsky
Berman	Grall	Rodriguez
Bernard	Gruters	Rouson
Boyd	Harrell	Sharief
Bracy Davis	Hooper	Simon
Bradley	Jones	Smith
Brodeur	Leek	Truenow
Burgess	Martin	Trumbull
Burton	Massullo	Wright
Calatayud	Mayfield	Yarborough
Davis	McClain	

Nays—None

SB 1570—A bill to be entitled An act relating to a statewide project for missing persons with special needs; reviving, readopting, and amending s. 937.041, F.S., relating to the missing persons with special needs statewide project; providing that the project is created through the centers for autism and related disabilities; requiring that participants for the project be selected based on certain criteria; deleting obsolete language; providing appropriations; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1570**, pursuant to Rule 3.11(3), there being no objection, **HB 1405** was withdrawn from the Committee on Rules.

On motion by Senator Gaetz—

HB 1405—A bill to be entitled An act relating to a statewide project for missing persons with special needs; reviving, readopting, and amending s. 937.041, F.S., relating to the missing persons with special needs statewide project; providing that the project is created through the centers for autism and related disabilities; providing that the participants for the project shall be selected based on certain criteria; deleting obsolete language; providing appropriations; providing an effective date.

—a companion measure, was substituted for **SB 1570** and read the second time by title.

On motion by Senator Gaetz, by two-thirds vote, **HB 1405** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	DiCeglie	Osgood
Arrington	Gaetz	Passidomo
Avila	Garcia	Polsky
Berman	Grall	Rodriguez
Bernard	Gruters	Rouson
Boyd	Harrell	Sharief
Bracy Davis	Hooper	Simon
Bradley	Jones	Smith
Brodeur	Leek	Truenow
Burgess	Martin	Trumbull
Burton	Massullo	Wright
Calatayud	Mayfield	Yarborough
Davis	McClain	

Nays—None

CS for CS for SB 1742—A bill to be entitled An act relating to indecent exposure of sexual organs while observing a child; repealing s. 800.02, F.S., relating to unnatural and lascivious acts; creating s. 800.035, F.S.; defining the term “observing”; prohibiting a person from, for a specified purpose, intentionally exposing his or her sexual organs in a lewd or lascivious manner or intentionally performing specified sexual acts while observing a child under 16 years of age; providing criminal penalties; specifying what does not constitute a defense to committing such offense; providing exceptions; amending ss. 914.16 and 933.18, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1742**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1525** was withdrawn from the Committee on Rules.

On motion by Senator Martin—

CS for CS for HB 1525—A bill to be entitled An act relating to lewd or lascivious acts; repealing s. 800.02, F.S., relating to unnatural and lascivious acts; creating s. 800.035, F.S.; prohibiting a person from in-

entionally exposing or exhibiting his or her sexual organs in a lewd or lascivious manner while observing a child under 16 years of age or performing specified sexual acts while observing a child under 16 years of age for a specified purpose; defining the term “observing”; providing a criminal penalty; prohibiting a certain defense from being raised; providing exceptions; amending ss. 914.16 and 933.18, F.S.; conforming cross-references; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1742** and read the second time by title.

On motion by Senator Martin, by two-thirds vote, **CS for CS for HB 1525** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

Mr. President	DiCeglie	Osgood
Arrington	Gaetz	Passidomo
Avila	Garcia	Polsky
Berman	Grall	Rodriguez
Bernard	Gruters	Rouson
Boyd	Harrell	Sharief
Bracy Davis	Hooper	Simon
Bradley	Jones	Smith
Brodeur	Leek	Truenow
Burgess	Martin	Trumbull
Burton	Massullo	Wright
Calatayud	Mayfield	Yarborough
Davis	McClain	

Nays—None

CS for HB 245—A bill to be entitled An act relating to child pornography terminology; amending ss. 39.0138, 92.56, 92.561, 435.07, 456.074, 775.0847, 827.071, 827.072, 836.13, 836.14, 847.001, 847.002, 847.01357, 847.0139, 903.011, 948.06, 960.03, and 960.197, F.S.; replacing the term “child pornography” with the term “child sexual abuse material”; amending ss. 847.0137 and 921.0022, F.S.; replacing the terms “pornography” and “child pornography” with the term “child sexual abuse material”; providing an effective date.

—was read the second time by title.

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

Senator Grall moved the following amendment which was adopted:

Amendment 1 (963706) (with title amendment)—Before line 15 insert:

Section 1. Section 847.0015, Florida Statutes, is created to read:

847.0015 Intent; child sexual abuse material; applicability.—

(1) It is the intent of the Legislature to change the term “child pornography” to the term “child sexual abuse material” throughout the Florida Statutes. Using the term “child sexual abuse material” represents the nature of the sexually abusive content, emphasizing that the child is a victim of such content. Changing the term “child pornography” to “child sexual abuse material” is not intended to change or alter in any other way the definition of the term or the elements of any offense relating to child pornography.

(2) Any prior judicial interpretation or finding from state or federal case law relating to child pornography must be applied in the same manner to any offense relating to child sexual abuse material.

(3) This section applies to any law that uses the term “child sexual abuse material,” including in this chapter and chapters 39, 92, 435, 456, 775, 827, 836, 903, 948, and 960.

And the title is amended as follows:

Between lines 2 and 3 insert: creating s. 847.0015, F.S.; providing legislative intent; providing applicability;

On motion by Senator Leek, by two-thirds vote, **CS for HB 245**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gaetz	Passidomo
Arrington	Garcia	Polsky
Avila	Grall	Rodriguez
Berman	Gruters	Rouson
Bernard	Harrell	Sharief
Boyd	Hooper	Simon
Bracy Davis	Jones	Smith
Bradley	Leek	Truenow
Brodeur	Martin	Trumbull
Burgess	Massullo	Wright
Burton	Mayfield	Yarborough
Calatayud	McClain	
DiCeglie	Osgood	

Nays—1

Davis

CS for HB 1175—A bill to be entitled An act relating to safety design standards for office surgery suites; creating s. 553.884, F.S.; requiring the Florida Building Commission and the State Fire Marshal to establish safety design standards for certain office surgical suites by a specified date; defining the term “office surgery suite”; providing an effective date.

—was read the second time by title. On motion by Senator Rodriguez, by two-thirds vote, **CS for HB 1175** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gaetz	Passidomo
Arrington	Garcia	Polsky
Avila	Grall	Rodriguez
Berman	Gruters	Rouson
Bernard	Harrell	Sharief
Boyd	Hooper	Simon
Bracy Davis	Jones	Smith
Bradley	Leek	Truenow
Brodeur	Martin	Trumbull
Burgess	Massullo	Wright
Burton	Mayfield	Yarborough
Calatayud	McClain	
DiCeglie	Osgood	

Nays—1

Davis

Consideration of **CS for SB 696** was deferred.

SB 1708—A bill to be entitled An act relating to veterinary licensure; amending s. 474.217, F.S.; deleting the requirement for an applicant for licensure by endorsement to have held a valid active license to practice veterinary medicine in another state, the District of Columbia, or a territory of the United States for a specified amount of time; requiring applicants to hold a valid, active license in good standing to practice veterinary medicine in another state, the District of Columbia, or a territory of the United States; reenacting s. 474.2125(1), F.S., related to temporary license to provide veterinary services, to incorporate the

amendment made to s. 474.217, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1708**, pursuant to Rule 3.11(3), there being no objection, **HB 1509** was withdrawn from the Committee on Rules.

On motion by Senator Gaetz—

HB 1509—A bill to be entitled An act relating to veterinarian licensure by endorsement; amending s. 474.217, F.S.; revising requirements for licensure by endorsement as a veterinarian; providing an effective date.

—a companion measure, was substituted for **SB 1708** and read the second time by title.

On motion by Senator Gaetz, by two-thirds vote, **HB 1509** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gaetz	Passidomo
Arrington	Garcia	Polsky
Avila	Grall	Rodriguez
Berman	Gruters	Rouson
Bernard	Harrell	Sharief
Boyd	Hooper	Simon
Bracy Davis	Jones	Smith
Bradley	Leek	Truenow
Brodeur	Martin	Trumbull
Burgess	Massullo	Wright
Burton	Mayfield	Yarborough
Davis	McClain	
DiCeglie	Osgood	

Nays—None

Consideration of **CS for CS for CS for SB 902**, **CS for CS for SB 1260**, and **SB 7034** was deferred.

MOTIONS

On motion by Senator Passidomo, the rules were waived and all bills temporarily postponed on the Special Order Calendar this day were retained on the Special Order Calendar.

On motion by Senator Passidomo, the rules were waived and a deadline of one hour after adjournment was set for filing amendments to Bills on Third Reading to be considered Wednesday, March 11, 2026.

On motion by Senator Passidomo, the rules were waived and **CS for CS for SB 1724** was placed on the Special Order Calendar for Wednesday, March 11, 2026.

BILLS ON SPECIAL ORDERS

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Tuesday, March 10, 2026: **CS for HB 245**, **CS for CS for SB 536**, **CS for SB 696**, **CS for CS for SB 896**, **CS for SB 934**, **CS for HB 1175**, **CS for SB 1192**, **CS for CS for SB 1266**, **CS for CS for CS for SB 1294**, **CS for CS for SB 1362**, **CS for SB 1366**, **CS for SB 1376**, **CS for CS for SB 1474**, **SB 1570**, **CS for CS for SB 1742**, **CS for CS for SB 7036**.

Respectfully submitted,
Kathleen Passidomo, Rules Chair
Jim Boyd, Majority Leader
Lori Berman, Minority Leader

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGES — FINAL ACTION

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 296.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 298 by the required constitutional two-thirds vote of the members voting.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 340.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 422.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 436.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 504.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed SB 506 by the required constitutional two-thirds vote of the members voting.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed SB 584.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 590.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed SB 594.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 772.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed SB 816.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 820.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1030.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1074.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1092.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1134.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1180.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1404.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1434.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 9 was corrected and approved.

CO-INTRODUCERS

Senator Calatayud—CS for CS for SB 1760

ADJOURNMENT

On motion by Senator Passidomo, the Senate adjourned at 6:32 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Wednesday, March 11 or upon call of the President.

JOURNAL OF THE SENATE

Daily Numeric Index for

March 10, 2026

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

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

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CS/SB 696	(BA) 747, (SO) 747	CS/CS/SB 7036	(BA) 745, (SO) 747
CS/CS/SB 896	(BA) 742, (SO) 747	HB 145	(BA) 722, (BP) 741
CS/CS/CS/SB 902	(BA) 747	CS/HB 245	(BA) 746, (BP) 747, (SO) 747
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CS/SB 1192	(BA) 743, (SO) 747	CS/HB 697	(BA) 741, (BP) 742
CS/CS/SB 1260	(BA) 747	CS/HB 755	(BA) 742, (BP) 743
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CS/CS/SB 1362	(BA) 744, (BA) 745, (SO) 747	CS/CS/CS/HB 1093	(BA) 744, (BA) 745, (BP) 745
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CS/SB 1376	(BA) 745, (SO) 747	CS/HB 1175	(BA) 747, (BP) 747, (SO) 747
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SB 1708	(BA) 747	HB 1405	(BA) 746, (BP) 746
CS/CS/SB 1724	(MO) 747	HB 1509	(BA) 747, (BP) 747
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